

**City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
February 2, 2005**

Mayor David Dermer
Vice-Mayor Simon Cruz
Commissioner Matti Herrera Bower
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Jose Smith
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

Visit us on the Internet at www.miamibeachfl.gov for agendas and video "streaming" of City Commission Meetings.

ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Call to Order - 9:00 a.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R6 Commission Committee Reports
R7 Resolutions
R9 New Business and Commission Requests
R10 City Attorney Reports

Reports and Informational Items



*"We are committed to providing excellent public service
and safety to all who live, work, and play in our vibrant, tropical, historic community."*

PA - Presentations and Awards

- PA1 Certificates Of Completion To Be Presented To The Community Emergency Response Team (C.E.R.T) Graduates. (Page 2)
(Neighborhood Services)
- PA2 Certificates Of Appreciation To Be Presented To 5600 Condominium, The Dilido Ritz Carlton, Temple Menorah, St. Tropez, Mirador Town Homes And Garage, And Special Recognition To Unidad Of Miami Beach (Miami Beach Hispanic Community Center), In Recognition By The City Of Miami Beach Beautification Committee For Their Efforts In Contributing Significantly To The Beautification Of The City And Its Citizens.
(Parks & Recreation)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Purchase Two (2) 2006 Thomas FS-65 47-Capacity Conventional School Buses, From Freightliner Of South Florida, Pursuant To Florida Department Of Education Contract No. 2004-19, In The Amount Of \$124,256. (Page 5)
(Fleet Management)

C4 - Commission Committee Assignments

- C4A Referral To The Planning Board - Strengthening Historic Preservation Ordinance. (Page 9)
(Requested by Commissioner Saul Gross)
- C4A1 Referral To The Planning Board And The Historic Preservation Board Regarding Miami-Dade Historic Preservation Board Resolution No. 07-04. (Page 13)
(Requested by Commissioner Matti Herrera Bower)

C4 - Commission Committee Assignments (Continued)

- C4B Referral To The Finance And Citywide Projects Committee - Discussion On Reallocation Of Funds To Provide For Additional Services To Reynolds Smith And Hills To Complete The Documents For The La Gorce Neighborhood Improvements Project. (Page 17)
(Capital Improvement Projects)
- C4C Referral To The Finance And Citywide Projects Committee - Discussion On Reallocation Of Funds To Provide For Additional Services To Reynolds Smith And Hills To Complete The Documents For The Nautilus Neighborhood Improvements Project. (Page 19)
(Capital Improvement Projects)

C6 - Commission Committee Reports

- C6A Report Of The Land Use And Development Committee Meeting Of January 10, 2005: 1) Discussion Regarding The Zoning Of Religious Institutions In The RS-4 District; 2) Discussion Regarding Updating ADA Code To Include Innovative Forms Of Vehicles; And 3) Discussion Regarding Evaluation And Appraisal Report Resolution (EAR) First Draft Submittal. (Page 22)

C7 - Resolutions

- C7A A Resolution Setting A Public Hearing (Retroactively) To Consider The Proposed Designation Of The 28th Street Obelisk And Pumping Station As An Historic Structure By Amending The Land Development Regulations Of The Miami Beach City Code; Amending Section 118-593, "Historic Preservation Designation"; Amending Section 118-593(E), "Delineation On Zoning Map"; Amending Section 118-593(E)(1), "Historic Preservation Sites (HPS)" By Designating The 28th Street Obelisk And Pumping Station As An Historic Structure To Be Known As The "28th Street Obelisk And Pumping Station Historic Structure," Located At 300 West 28th Street And Consisting Of An Area That Includes The Original 1926 Structure And Its Appurtenances, As More Particularly Described In The Ordinance. (Page 25)
(Planning Department)
- C7B A Resolution Authorizing The Mayor And City Clerk To Execute A First Amendment To The Home Investment Partnerships (Home) Program Agreement, Dated December 8, 2004, Between The City Of Miami Beach And Miami Beach Community Development Corporation (MBCDC) Providing \$500,000 From The \$800,000 Home CHDO Funds Previously Allocated To MBCDC By The City's One Year Action Plan For FY 2004/2005, Towards The Cost Of The Acquisition And Rehabilitation Of The Villa Maria, An Apartment Building Located At 2800 Collins Avenue, Miami Beach, To Provide An Estimated Thirty Four (34) Rental Units For Income-Eligible Elderly Tenants In Accordance With The Home Program Requirements. (Page 32)
(Neighborhood Services)

C7 - Resolutions (Continued)

- C7C A Resolution Approving The Attached Budget For Fiscal Years 2004/05 Through 2008/09, Submitted By Lincoln Road Marketing, Inc. (LRMI), Utilizing Revenue Generated From The Lincoln Road Farmer's Market, The Lincoln Road Antique & Collectibles Market And Adshel Directories On Lincoln Road For The Purpose Of Marketing And Promoting Lincoln Road. (Page 53)
(Economic Development)
- C7D A Resolution Authorizing The Mayor And Cit Clerk To Reject All Proposals Received Pursuant To The Request For Qualifications (RFQ) No. 26-03/04 For Inspection And Assessment Services Of City Buildings And Facilities. (Page 62)
(Public Works)
- C7E A Resolution Authorizing The City Manager Or His Designee To Submit Applications For Grant Funds To The Following Agencies: 1) Miami Beach Visitor And Convention Authority (VCA), FY 2004-5 Tourism Advancement Program, 4th Quarter Program For Funding In An Amount Not To Exceed \$20,000 For The City's 4th Of July 2005 Event; 2) The National Park Service's Save America's Treasures Program For Funding In An Amount Not To Exceed \$500,000 For FY 2005 Historic Preservation Fund Grants For The Restoration Of Historic City Hall; 3) State Of Florida, Office Of The Attorney General, Victims Of Crime Act (VOCA) Funding In An Amount Not To Exceed \$35,000 For Funds For The City's Domestic Violence Unit; 4) State Of Florida, Department Of Community Affairs, Division Of Emergency Management For Funding For The City's Community Emergency Response Team (CERT) Training In An Amount Not To Exceed \$25,000; Further Appropriating The Grants If Approved And Accepted By The City; And Authorizing The Execution Of All Necessary Documents Related To This Application. (Page 67)
(Grants Management)
- C7F Rejection Of Corporate Sponsorship RFP's Received April 2004 And Authorization To Issue Vending Machine RFP.
1. A Resolution Rejecting RFP #66-02/03 Regarding A Corporate Sponsorship Program.
 2. A Resolution Authorizing An RFP For Vending Machine Services At City Facilities.
(Page 72)
(City Manager's Office)

End of Consent Agenda

PA - Presentations and Awards

- PA1 Certificates Of Completion To Be Presented To The Community Emergency Response Team (C.E.R.T) Graduates.
(Neighborhood Services)
- PA2 Certificates Of Appreciation To Be Presented To 5600 Condominium, The Dillido Ritz Carlton, Temple Menorah, St. Tropez, Mirador Town Homes And Garage, And Special Recognition To Unidad Of Miami Beach (Miami Beach Hispanic Community Center), In Recognition By The City Of Miami Beach Beautification Committee For Their Efforts In Contributing Significantly To The Beautification Of The City And Its Citizens.
(Parks & Recreation)

AGENDA ITEM PA1-2
DATE 2-2-05

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Request For Approval To Purchase Two (2) 2006 Thomas FS-65 47-Capacity Conventional School Buses, From Freightliner Of South Florida, Pursuant To Florida Department Of Education Contract No. 2004-19, In The Amount Of \$124,256.00

Issue:

Shall the Commission approve the purchase?

Item Summary/Recommendation:


The 2006 Thomas FS-65 47-Capacity School Buses are **budgeted** replacements and will be funded by the Fleet Management Capital Fund. These vehicles will be utilized by the Recreation Division of the Parks and Recreation Department in support of after school programs, family and senior activities. This vehicle will be equipped with seatbelts, air ride suspension, air conditioning, PA system and a 27 cubic feet baggage compartment.

The Administration recommends approving the purchase.

Advisory Board Recommendation:

N/A

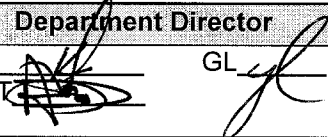
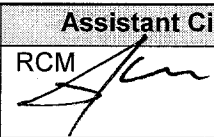
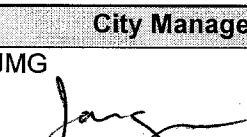
Financial Information:

Source of Funds:	Amount		Account		Approved
 Finance Dept.	1	\$124,256.00	510.1780.000673	Fleet Management Fund Capital Account	
	2				
	3				
	4				
	Total	\$124,256.00			

City Clerk's Office Legislative Tracking:

Andrew Terpak

Sign-Offs:

Department Director		Assistant City Manager	City Manager
KS AET	GL	RCM	JMG
			

T:\AGENDA\2005\Feb0205\Consent\Buses Item Summary.doc

AGENDA ITEM C2A
DATE 2-2-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 2, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **REQUEST FOR APPROVAL TO PURCHASE TWO (2) 2006 THOMAS FS-65 47-CAPACITY CONVENTIONAL SCHOOL BUSES, FROM FREIGHTLINER OF SOUTH FLORIDA, PURSUANT TO FLORIDA DEPARTMENT OF EDUCATION CONTRACT NO. 2004-19, IN THE AMOUNT OF \$124,256.00.**

ADMINISTRATION RECOMMENDATION

Approve the purchase.

BID AMOUNT AND FUNDING

\$124,256.00 Fleet Management Fund Capital Account 510.1780.000673

ANALYSIS

The buses are recommended to be purchased pursuant to Florida Department of Education Contract No. 2004-19.

The 2006 Thomas FS-65 47-Capacity School Buses are budgeted replacements and will be funded by the Fleet Management Capital Fund. These vehicles will be utilized by the Recreation Division of the Parks and Recreation Department in support of after school programs such as transportation from schools to the parks, field trips, summer camp, special events, teen and family weekend programs, to transport youth teams to soccer, baseball and basketball competitions, sporting events, and various senior community activities. In the event of a City wide emergency, this vehicle could be used as part of the disaster preparedness plan by transporting City personnel.

The 2006 Thomas FS-65 47-Capacity School Buses will be equipped with seatbelts, air ride suspension, air conditioning, PA system with radio, diesel noise package and a 27 cubic feet capacity storage area.

The purchase of these buses will allow us to move forward in our migration from 15 passenger vans into buses, which are designed to meet State and Federal safety standards for transporting school age children. Continued use of passenger vans for the stated Park and Recreation purposes is no longer permitted by Federal guidelines and State law.

The vehicles listed below have met or exceeded the established criteria for replacement:

Veh#	Dept.	Year	Make/Model	Mileage	Life to Date Maintenance	Condition
0562	0950	1997	Dodge RAM 350	48,920	\$6,828.60	Fair
1807	1110	1998	Ford E350	48,066	\$8,736.34	Fair

The criteria are based on age, mileage, maintenance, engine hours (one engine hour idling =35 miles), and overall condition of the vehicle. The life to date maintenance includes all costs associated with the vehicle, including, but not limited to, repairs, routine maintenance, accidents and other damage.

The Administration recommends that the City Commission approve the purchase of two (2) 2006 Thomas FS 65 47-Capacity Conventional School Buses, from Freightliner of South Florida, pursuant to Florida Department of Education Contract No. 2004-19, in the amount of \$124,256.00.

C4
Comm. Committee
Assignments



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CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: Jorge Gonzalez
City Manager

FROM: Saul Gross
Commissioner *Saul*

DATE: January 26, 2005

RE: Strengthening Historic Preservation Ordinance
Agenda Item

I would like the Planning Board to consider changing the notice provisions for designating historic properties, as provided in the attached resolution of the Miami Dade Historic Preservation Board.

Please place this item on the February 2nd, 2005 City Commission Agenda for referral to the Planning Board.

Attachment

C: Alberta Godfrey

Agenda Item C4A
Date 2-2-05

MIAMI-DADE COUNTY, FLORIDA



OFFICE OF HISTORIC PRESERVATION

Stephen P. Clark Center
111. N. W. First Street, Suite 695
MIAMI, FLORIDA 33128
305-375-4958
Facsimile 305-372-6394

January 13, 2005

The Honorable
Commissioner Saul Gross
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Dear Commissioner Gross:

We wanted to provide you with a copy of a Resolution passed by the Historic Preservation Board expressing concern about some provisions of the Miami Beach Historic Preservation Ordinance. We strongly feel that these provisions could pose a serious threat to the preservation of many historic sites in the City, before they have the opportunity to be designated.

Please feel free to contact our staff or the County Attorney's Office if we can be of help in any way.

Sincerely,

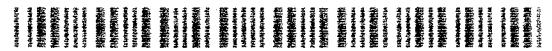
A handwritten signature in cursive script that reads 'Alberta W. Godfrey'.

Alberta Godfrey
Chairperson
Miami Dade Historic Preservation Board

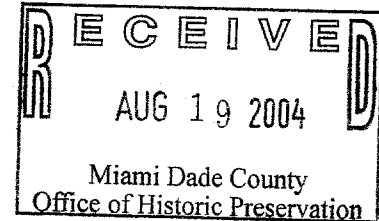
cc: Historic Preservation Board Members
Thomas W. Logue, Assistant County Attorney
Ivan A. Rodriguez, Director Office of Historic Preservation



MIAMI-DADE COUNTY
HISTORIC PRESERVATION BOARD
STEPHEN P. CLARK CENTER
111 N. W. FIRST STREET
SUITE 695
MIAMI, FLORIDA 33128
305-375-4958
Facsimile 305- 372-6394



CFN 2004R0650619
OR Bk 22532 Pgs 0416 - 4171 (2pgs)
RECORDED 08/02/2004 09:49:02
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA



MIAMI-DADE HISTORIC PRESERVATION BOARD

RESOLUTION NO. 07-04

RESOLUTION OF MIAMI-DADE COUNTY HISTORIC PRESERVATION BOARD URGING THE MIAMI BEACH HISTORIC PRESERVATION BOARD TO CONSIDER AND RECOMMEND AN AMENDMENT TO ITS HISTORIC PRESERVATION ORDINANCE

WHEREAS, the City of Miami Beach Historic Preservation Ordinance includes a provision whereby the Historic Preservation Board must advertise in a newspaper of general circulation its intent to initiate designation procedures on historic properties, and

WHEREAS, this action precedes a moratorium going into effect prior to consideration for historic designation for said property at a public hearing, and

WHEREAS, such public notice prior to a moratorium may allow an unsympathetic property owner the opportunity to adversely impact or demolish a historic property before it may come up for consideration for hisotric designation, and

WHEREAS, modern preservation ordinances have addressed this problem in various ways that balance the due process right of the property owner with the right of the community to protect historic resources while they are being considered for designation. Among ways to balance these interests is the method used in section 16A-10 of the Code of Miami-Dade County. That provision provides that a moratorium is placed on property formally being considered for designation without prior notice to the property owner, but it protects the property owner's due process rights by providing that prior to property being formally being considered for designation: (1) staff prepare a report detailing the basis for designation; (2) the Historic Preservation Board independently review and accept staff's report at an ex parte hearing; (3) the moratorium be short-lived and expire automatically if the property is not designated within a specified, short period of time; and (4) the property owner have an opportunity for a prompt hearing to challenge the moratorium.



MIAMI-DADE COUNTY
HISTORIC PRESERVATION BOARD
STEPHEN P. CLARK CENTER
111 N. W. FIRST STREET
SUITE 695
MIAMI, FLORIDA 33128
305-375-4958
Facsimile 305- 372-6394

NOW, THEREFORE, BE IT RESOLVED, that the Miami-Dade County Historic Preservation Board is deeply concerned with this provision in the Miami Beach Historic Preservation Ordinance and strongly urges the Miami Beach Historic Preservation Board to consider recommending language to amend this deficiency in the City's ordinance.

Robert L. McKinney
Robert McKinney, Chair
Miami-Dade County Historic Preservation Board

July 21, 2004
Date

Prepared by:

Ivan A. Rodriguez IAH
Ivan A. Rodriguez, Director
Office of Historic Preservation

<u>Board Members</u>	<u>Vote</u>	<u>Board Members</u>	<u>Vote</u>
Ruth Campbell	yes	Hyacinth O. Johnson	yes
Richard Cohen	excused	Robert McKinney	yes
Paul George	yes	JoEllen Phillips	yes
Alberta Godfrey	excused	Enid C. Pinkney	yes
Armando Gutierrez, Jr.	excused	Dennis W. Wilhelm	yes

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this July 21, 2004
by Chair, Miami-Dade County Historic Preservation Board.

David J. Hertzberg
David J. Hertzberg



David J. Hertzberg
My Commission DD267882
Expires January 09, 2008


Personally Known Yes
OR Produced Identification N/A Type of Identification Produced N/A.



CI CMG
Gomez
Lilia

CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: MATTI H. BOWER 
COMMISSIONER

DATE: January 25, 2005

RE: Referral Item to the Planning Board and Historic Preservation Board
regarding Miami-Dade Historic Preservation Board
Resolution No. 07-04

I would like to refer a discussion item to the Planning Board and Historic Preservation Board regarding the Miami-Dade Historic Preservation Board Resolution No. 07-04. The resolution urges the Miami Beach Historic Preservation Board to consider and recommend an amendment to the City's Historic Preservation Ordinance. I have attached a letter from Alberta Godfrey, Chairperson of the Miami Dade Historic Preservation Board for your review. Please advise.

I thank you in advance for your cooperation in this matter. If you have any questions, please do not hesitate to contact my Aide, Ms. Lorna Mejia at extension 6627.

Thank you.

MHB/ldm

RECEIVED
2005 JAN 27 PM 3:48
CITY MANAGERS OFFICE
BY

Agenda Item CYA1
Date 2-2-05

MIAMI-DADE COUNTY, FLORIDA



OFFICE OF HISTORIC PRESERVATION

Stephen P. Clark Center
111. N. W. First Street, Suite 695
MIAMI, FLORIDA 33128
305-375-4958
Facsimile 305-372-6394

January 13, 2005

The Honorable
Commissioner Matti Herrera Bower
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Dear Commissioner Herrera Bower:

We wanted to provide you with a copy of a Resolution passed by the Historic Preservation Board expressing concern about some provisions of the Miami Beach Historic Preservation Ordinance. We strongly feel that these provisions could pose a serious threat to the preservation of many historic sites in the City, before they have the opportunity to be designated.

Please feel free to contact our staff or the County Attorney's Office if we can be of help in any way.

Sincerely,

Alberta Godfrey
Chairperson
Miami Dade Historic Preservation Board

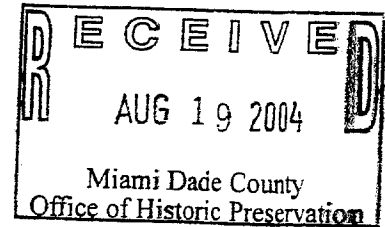
cc: Historic Preservation Board Members
Thomas W. Logue, Assistant County Attorney
Ivan A. Rodriguez, Director Office of Historic Preservation



MIAMI-DADE COUNTY
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CFN 2004R0650619
OR BK 22532 Pgs 0416 - 4171 (2pgs)
RECORDED 08/02/2004 09:49:07
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA



MIAMI-DADE HISTORIC PRESERVATION BOARD

RESOLUTION NO. 07-04

RESOLUTION OF MIAMI-DADE COUNTY HISTORIC PRESERVATION BOARD URGING THE MIAMI BEACH HISTORIC PRESERVATION BOARD TO CONSIDER AND RECOMMEND AN AMENDMENT TO ITS HISTORIC PRESERVATION ORDINANCE

WHEREAS, the City of Miami Beach Historic Preservation Ordinance includes a provision whereby the Historic Preservation Board must advertise in a newspaper of general circulation its intent to initiate designation procedures on historic properties, and

WHEREAS, this action precedes a moratorium going into effect prior to consideration for historic designation for said property at a public hearing, and

WHEREAS, such public notice prior to a moratorium may allow an unsympathetic property owner the opportunity to adversely impact or demolish a historic property before it may come up for consideration for historic designation, and

WHEREAS, modern preservation ordinances have addressed this problem in various ways that balance the due process right of the property owner with the right of the community to protect historic resources while they are being considered for designation. Among ways to balance these interests is the method used in section 16A-10 of the Code of Miami-Dade County. That provision provides that a moratorium is placed on property formally being considered for designation without prior notice to the property owner, but it protects the property owner's due process rights by providing that prior to property being formally being considered for designation: (1) staff prepare a report detailing the basis for designation; (2) the Historic Preservation Board independently review and accept staff's report at an ex parte hearing; (3) the moratorium be short-lived and expire automatically if the property is not designated within a specified, short period of time; and (4) the property owner have an opportunity for a prompt hearing to challenge the moratorium.



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Robert McKinney
Robert McKinney, Chair
Miami-Dade County Historic Preservation Board

July 21, 2004
Date

Prepared by:

Ivan A. Rodriguez IAH
Ivan A. Rodriguez, Director
Office of Historic Preservation

<u>Board Members</u>	<u>Vote</u>	<u>Board Members</u>	<u>Vote</u>
Ruth Campbell	yes	Hyacinth O. Johnson	yes
Richard Cohen	excused	Robert McKinney	yes
Paul George	yes	JoEllen Phillips	yes
Alberta Godfrey	excused	Enid C. Pinkney	yes
Armando Gutierrez, Jr.	excused	Dennis W. Wilhelm	yes

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this July 21, 2004
by, Chair, Miami-Dade County Historic Preservation Board.

David J. Hertzberg
David J. Hertzberg



David J. Hertzberg
My Commission DD267682
Expires January 09, 2008

Personally Known Yes
OR Produced Identification N/A Type of Identification Produced N/A.

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 2, 2005

From: Jorge M. Gonzalez
City Manager

A handwritten signature of Jorge M. Gonzalez.

Subject: **REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE FOR DISCUSSION ON REALLOCATION OF FUNDS TO PROVIDE FOR ADDITIONAL SERVICES TO REYNOLDS SMITH AND HILLS TO COMPLETE THE DOCUMENTS FOR THE LA GORCE NEIGHBORHOOD IMPROVEMENTS PROJECT.**

ADMINISTRATION RECOMMENDATION

Refer the item.

ANALYSIS

In September 5, 2001, the City entered into an Agreement with the firm of Reynolds Smith & Hills (RSH) for Architectural and Engineering Services for the La Gorce Right of Way (ROW) Infrastructure Improvements Project (the Project). On September 30, 2004, RSH submitted a request for additional services, in the amount of \$69,806 for modifications and additions to the storm water design in the Project. The modifications included the incorporation of two existing outfalls into the design in order to accomplish the necessary disposal of storm water. They also included the addition of ten gravity disposal wells to meet regulatory requirements within the neighborhood. Finally, the City requested that all roads within the scope of the Project be repaved in conjunction with the storm water improvements.

The above described improvements are considered additional to the original scope of services and necessary to provide a proper design for the Project and to obtain the proper improvements to the storm water disposal in the neighborhood. The City and the City's program Manager, Hazen & Sawyer, evaluated the request and in October 2004 informed RSH that the amount requested was not in accordance with the modifications to the scope of services and that the request would have to be reformulated.

On January 12, 2005, the City and RSH met again to complete negotiations on the scope and value of the request for additional services. After the discussion, the City agreed to compensate RSH in the amount of \$42,000 for the subject services and to amend their Agreement accordingly.

Consequently, the Administration requests a referral to the Finance and Citywide Projects Committee for discussion, review and recommendation to the Mayor and City Commission. The results of the Committee's action will be presented at the second City Commission meeting in February 2005.

JMG/RGM/TH/JECh

T:\AGENDA\2005\Feb0205\Consent\La Gorce Additional Services Referral.dot

Agenda Item CYB

Date 2-2-05

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 2, 2005

From: Jorge M. Gonzalez
City Manager

Subject: REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE FOR
DISCUSSION ON REALLOCATION OF FUNDS TO PROVIDE FOR ADDITIONAL
SERVICES TO REYNOLDS SMITH AND HILLS TO COMPLETE THE DOCUMENTS FOR
THE NAUTILUS NEIGHBORHOOD IMPROVEMENTS PROJECT.

ADMINISTRATION RECOMMENDATION

Refer the item.

ANALYSIS

In May 16, 2001, the City entered into an Agreement with the firm of Reynolds Smith & Hills (RSH) for Architectural and Engineering Services for the Nautilus Right of Way (ROW) Infrastructure Improvements Project (the Project). On October 1, 2004, RSH submitted a request for additional services, in the amount of \$105,087, for modifications and additions to the storm water design in the Project. The modifications included the incorporation of two new outfalls into the design in order to accomplish the necessary disposal of storm water. They also included the addition of two pump stations and injection wells to meet regulatory requirements and to account for a low lying area within the neighborhood. These changes required the addition of at least fifteen contract documents to the scope of services. The above described improvements are considered additional to the original scope of services and necessary to provide a proper design for the Project and to obtain the proper improvements to the storm water disposal in the neighborhood.

On October 12, 2004, the City and the City's Program Manager, Hazen & Sawyer informed RSH that the amount requested was not in accordance with the modifications to the scope of services and that the request would have to be reformulated. On November 10, 2004, RSH resubmitted the request with new documentation and additional substantiation and lowered the amount to \$80,393. On November 17, 2004, the City once again informed RSH that the request was still not acceptable and that it contained items for which the City would not compensate RSH.

Several negotiation sessions occurred as well as telephone conversations were held in order to reach an acceptable value for the recognized additional services. On January 12, 2005, the City and RSH met again to complete negotiations on the scope and value of the request. After the discussion, the City agreed to compensate RSH in the amount of \$65,000 for the subject services and to amend their Agreement accordingly.

Consequently, the Administration requests a referral to the Finance and Citywide Project Committee for discussion, review, and recommendation to the Mayor and City Commission. The results of the Committee's action will be presented at the second City Commission meeting in February 2005.

JGM/RSM/TH/JECh
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Agenda Item CYC
Date 2-2-05

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CITY OF MIAMI BEACH

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www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 2, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **REPORT OF THE JANUARY 10, 2005 - LAND USE AND DEVELOPMENT
COMMITTEE MEETING**

A meeting of the Land Use and Development Committee was held on Monday, January 10, 2005 at 4:00 p.m. in the Mayor's Conference Room. The following were in attendance: Commissioners Luis R. Garcia, Jr., Saul Gross, Matti Herrera Bower, Jose Smith and Richard Steinberg.

1. **DISCUSSION REGARDING THE ZONING OF RELIGIOUS INSTITUTIONS IN THE RS-4 DISTRICT.** Referred at the July 28, 2004 City Commission Meeting. Discussed at the September 13, 2004 Land Use Committee Meeting.

The Committee requested that further study be done in connection with this issue. They also requested that the administration contact the attorney for the interested party and resolve several issues related to parking. This matter will be placed in a future Committee agenda.

2. **DISCUSSION REGARDING UPDATING ADA CODE TO INCLUDE INNOVATIVE FORMS OF VEHICLES.** Referred at the October 13, 2004 City Commission meeting.

The Committee heard from Public Works Department Director Fred Beckmann, Building Department Director Phillip Azan, and Barrier-Free Environment Committee member/resident Michael Brennan on this issue. Information presented established that the City of Miami Beach has no authority to change the Americans with Disabilities Act of 1990 and its attendant regulations, which are federal law. In addition, the Florida Building Code preempts the establishment of handicapped accessibility standards to the states and supercedes any county or municipal ordinance on the subject. After discussing the issue, the Committee determined that this issue would be more appropriately addressed by the Florida State Legislature.

3. **DISCUSSION REGARDING EVALUATION AND APPRAISAL REPORT RESOLUTION (EAR) FIRST DRAFT SUBMITTAL.**

The Committee reviewed the draft EAR and made several changes and comments that were incorporated into the document prior to full City Commission action.

JMG/CMC/JSG/rar

T:\AGENDA\2005\Feb0205\Regular\Land Use Report 01-10-05.doc

Agenda Item

CGA

Date

2-2-05

LAND USE AND DEVELOPMENT COMMITTEE
January 10, 2005 at 4:00 p.m.
Mayor's Conference Room

Attendance Sheet

NAME	E-MAIL ADDRESS	CONTACT NUMBERS	FAX NUMBER
1. Daniel Kahan	@		
2. Lee Wang	@		
3. Heidi Johnson-Wright	@	X 6983	
4. Michael Brennan	@	305-864-7070	
5. Richard Corbett	@	X 6131	
6. Steve Feren	@	x 6609	
7. Jorge Gomez	@	x 7550	
8. Jase Smith	@	7106	
9. Richard Shubert	@	7103	
10. Mattie Bender	@		
11. Luis Garcia	@	7105	
12.	@		
13.	@		
14.	@		
15.	@		
16.	@		
17.	@		
18.	@		
19.	@		
20.	@		

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Setting of Public Hearing (Retroactively) - Proposed Designation of the 28th Street Obelisk and Pumping Station as an Historic Structure.

Issue:

The Administration is requesting that the Mayor and City Commission schedule a first and only reading public hearing on February 23, 2005, to consider the proposed designation of the 28th Street Obelisk and Pumping Station as an historic structure.

Item Summary/Recommendation:

Adopt the resolution which schedules a first and only reading public hearing on February 23, 2005, with a time certain of 5:01 p.m.

Advisory Board Recommendation:

On December 14, 2004, the Historic Preservation Board unanimously approved a motion (7 to 0) to recommend approval of the historic designation of the 28th Street Obelisk and Pumping Station with modifications to the site boundaries to only include the original 1926 structure and its appurtenances.

On January 25, 2005, the Planning Board unanimously approved a motion (5 to 0; 2 absences) to recommend approval of the historic designation of the 28th Street Obelisk and Pumping Station with the expansion of the site boundaries to include all of Fairgreen Park.

In an effort to expedite the historic designation process, the 30-day notification requirement for the first reading public hearing of the proposed historic structure was satisfied in advance of the January meeting of the Planning Board and prior to the Setting of the Public Hearing by the City Commission.


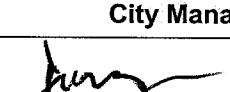
Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 60px; margin: 0 auto;"></div> Finance Dept.	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

William H. Cary, Assistant Planning Director; Shannon M. Anderton, Senior Planner.

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

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AGENDA ITEM C7A
DATE 2-2-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 2, 2005

From: Jorge M. Gonzalez
City Manager

Subject: SETTING OF PUBLIC HEARING (RETROACTIVELY) - HISTORIC DESIGNATION

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING (RETROACTIVELY) TO CONSIDER THE PROPOSED DESIGNATION OF THE 28TH STREET OBELISK AND PUMPING STATION AS AN HISTORIC STRUCTURE BY AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE MIAMI BEACH CITY CODE; AMENDING SECTION 118-593, "HISTORIC PRESERVATION DESIGNATION"; AMENDING SECTION 118-593(E), "DELINEATION ON ZONING MAP"; AMENDING SECTION 118-593(E)(1), "HISTORIC PRESERVATION SITES (HPS)" BY DESIGNATING THE 28TH STREET OBELISK AND PUMPING STATION AS AN HISTORIC STRUCTURE TO BE KNOWN AS THE "28TH STREET OBELISK AND PUMPING STATION HISTORIC STRUCTURE," LOCATED AT 300 WEST 28TH STREET AND CONSISTING OF AN AREA THAT INCLUDES THE ORIGINAL 1926 STRUCTURE AND ITS APPURTENANCES, AS MORE PARTICULARLY DESCRIBED IN THE ORDINANCE.

RECOMMENDATION

The Administration is requesting that the Mayor and City Commission schedule a first and only reading public hearing on February 23, 2005, to consider the proposed designation of the 28th Street Obelisk and Pumping Station as an historic structure.

The Administration recommends that the Mayor and City Commission adopt the resolution.

BACKGROUND

On April 18, 2001, the City Commission unanimously approved a motion (7 to 0) to designate the Pinetree Drive Historic Roadway as an historic site on first reading public hearing and scheduled the second reading public hearing for May 16, 2001. The City Commission, at the suggestion of Commissioner Luis R. Garcia, Jr., also directed staff to expand the boundaries of the proposed Pinetree Drive Historic Roadway to include the original 1926 obelisk and pumping station site (inclusive of its park setting), which is located at 28th Street between Pinetree Drive and Sheridan Avenue in Fairgreen Park.

Section 118-591 in the Land Development Regulations of the City Code require certain procedures to be undertaken in order to include the 28th Street Obelisk and Pumping Station site as an expansion of the original boundaries of the Pinetree Drive Historic Roadway. The designation review process for expansion would have taken approximately six months before the proposed expanded boundaries of the Pinetree Drive Historic Roadway would have been heard by the City Commission. Due to the potential threat of alterations to the existing configuration of the road at

Commission Memorandum of February 2, 2005
Setting of Public Hearing – Historic Designation
28th Street Obelisk and Pumping Station
Page 2 of 3

that time, staff believed it was prudent to immediately provide historic preservation protection to the Pinetree Drive Historic Roadway and its Australian pines. Therefore, staff recommended that the City Commission designate the Pinetree Drive Historic Roadway, as originally proposed by the Historic Preservation Board, because it would afford the earliest possible protection to the historic site. Further, it was also recommended that the City Commission direct staff to prepare a preliminary evaluation and recommendation report regarding the possible designation of the 28th Street Obelisk and Pumping Station as a separate historic site in lieu of expanding the boundaries of the proposed Pinetree Drive Historic Roadway. Staff believed this request was appropriate due to the structure's special historic character, high quality architectural design, and visual landmark nature to the surrounding residential neighborhood and the entire City.

On June 6, 2001, the City Commission unanimously approved the designation (7 to 0) of the Pinetree Drive Historic Roadway as an historic site on second reading public hearing. At the same meeting, the City Commission approved a motion (7 to 0) to direct staff to prepare a preliminary evaluation and recommendation report for consideration by the Historic Preservation Board relative to the possible designation of the 28th Street Obelisk and Pumping Station (inclusive of its park setting) as a separate historic site.

On June 12, 2001, the Historic Preservation Board reviewed the preliminary evaluation report, with recommendations prepared by the Planning Department, relative to the proposed designation of the 28th Street Obelisk and Pumping Station as a local historic site. The Historic Preservation Board unanimously approved a motion (5 to 0; 1 absence, 1 vacancy) to direct staff to prepare a designation report and schedule a public hearing relative to the designation of this proposed historic site to be known as the 28th Street Obelisk and Pumping Station Historic Site.

On December 14, 2004, the Historic Preservation Board reviewed the designation report and unanimously approved a motion (7 to 0) to recommend approval of the historic designation of the 28th Street Obelisk and Pumping Station with modifications to the site boundaries. The Board reduced the boundaries of the site by excluding the 1976 pumping station and its recent expansions in Fairgreen Park. The modified boundaries consist of a 67-foot diameter circular area that includes the original 1926 structure and its appurtenances (i.e. the obelisk, base structure, fountain basins, stairs, 1948 southern addition, any remains of its 62-foot diameter landscape wall, and the underground 66-foot diameter holding tank). Thereby, the name was changed from 28th Street Obelisk and Pumping Station Historic Site to 28th Street Obelisk and Pumping Station Historic Structure.

On January 25, 2005, the Planning Board reviewed the designation report and unanimously approved a motion (5 to 0; 2 absences) to recommend approval of the historic designation of the 28th Street Obelisk and Pumping Station with modifications to the site boundaries. In accordance with these modifications, the Board recommended to increase the boundaries of the site by including the original 1926 structure and all of Fairgreen Park. The proposed historic site, as recommended by the Planning Board, is generally bounded by the center line of West 28th Street to the north, the center line of Sheridan Avenue to the west, and the center line of Pinetree Drive to the south and east.

In an effort to expedite the historic designation process, the 30-day notification requirement for the first reading public hearing of the proposed historic structure was satisfied in advance of the January meeting of the Planning Board and prior to the Setting of the Public Hearing by the City Commission. Additionally, Planning Department staff is also preparing a master list of all historic

Commission Memorandum of February 2, 2005
Setting of Public Hearing – Historic Designation
28th Street Obelisk and Pumping Station
Page 3 of 3

monuments throughout the City, for review by the Historic Preservation Board, as was discussed by the City Commission on January 12, 2005.

DESIGNATION PROCESS

The designation report for a proposed historic site or structure is required to be presented to the Historic Preservation Board and the Planning Board at separate public hearings. Following public input, the Historic Preservation Board votes on whether or not the proposed historic site or structure meets the criteria listed in the Land Development Regulations of the City Code and transmits a recommendation on historic designation to the Planning Board and City Commission. If the Historic Preservation Board votes against the designation, no further action is required. If the Historic Preservation Board votes in favor of designation, the Planning Board reviews the designation report and formulates its own recommendation. The recommendations of both Boards, along with the designation report, are presented to the City Commission. Because in this instance the proposed ordinance involves an area of less than ten (10) contiguous acres, the City Commission must hold one (1) public hearing on the designation. Upon conclusion of the hearing, the City Commission can immediately adopt the ordinance with a 5/7 majority vote.

STAFF ANALYSIS

The proposed historic designation of the 28th Street Obelisk and Pumping Station is appropriate to protect the aesthetic, architectural, and historical importance of this landmark prominently located on Pinetree Drive. The positive social and economic impacts that preservation has had on the revitalization of Miami Beach, as well as worldwide media recognition of the City, is well known. Local residents and visitors from around the world are seeking the very special urban character of Miami Beach and its historic monuments, which the Planning Department seeks to preserve. The historic designation and future restoration of this fine work of art will further underscore Miami Beach's place among great American cities that understand and protect their history.

CONCLUSION

Therefore, the Administration recommends that the Mayor and City Commission adopt this resolution scheduling a first reading public hearing on February 23, 2005, to consider the proposed designation of the 28th Street Obelisk and Pumping Station as an historic structure.

JMG:CMC:JGG:WHC:SMA

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING (RETROACTIVELY) TO CONSIDER THE PROPOSED DESIGNATION OF THE 28TH STREET OBELISK AND PUMPING STATION AS AN HISTORIC STRUCTURE BY AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE MIAMI BEACH CITY CODE; AMENDING SECTION 118-593, "HISTORIC PRESERVATION DESIGNATION"; AMENDING SECTION 118-593(E), "DELINEATION ON ZONING MAP"; AMENDING SECTION 118-593(E)(1), "HISTORIC PRESERVATION SITES (HPS)" BY DESIGNATING THE 28TH STREET OBELISK AND PUMPING STATION AS AN HISTORIC STRUCTURE TO BE KNOWN AS THE "28TH STREET OBELISK AND PUMPING STATION HISTORIC STRUCTURE," LOCATED AT 300 WEST 28TH STREET AND CONSISTING OF AN AREA THAT INCLUDES THE ORIGINAL 1926 STRUCTURE AND ITS APPURTENANCES, AS MORE PARTICULARLY DESCRIBED IN THE ORDINANCE.

WHEREAS, on December 14, 2004, the City of Miami Beach Historic Preservation Board held a public hearing and voted unanimously (7 to 0) in favor of recommending that the Mayor and City Commission designate the 28th Street Obelisk and Pumping Station, located at 300 West 28th Street in Fairgreen Park, as an Historic Structure; and

WHEREAS, on January 25, 2005, the City of Miami Beach Planning Board held a public hearing and voted unanimously (5 to 0; 2 absences) in favor of the proposed designation of said historic structure; and

WHEREAS, the City of Miami Beach Planning Department has recommended this amendment to the Land Development Regulations of the City Code; and

WHEREAS, pursuant to section 118-164(1) of the Land Development Regulations of the City Code, for changes to the actual zoning map designation for a parcel or parcels of land involving less than ten contiguous acres, the City Commission shall hold one public hearing on the proposed ordinance. Immediately following the public hearing, the City Commission may adopt the ordinance; and

WHEREAS, the Administration is requesting that the first and only reading public hearing for the proposed designation of the 28th Street Obelisk and Pumping Station as an historic structure be set at this time;

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that a first and only reading public hearing shall be held on February 23, 2005, to consider the proposed designation of the 28th Street Obelisk and Pumping Station as an historic structure as follows:

Public Hearing First and Only Reading

5:01 p.m.

in the City Commission Chambers at 1700 Convention Center Drive, Miami Beach, Florida, and the City Clerk is hereby authorized and directed to publish and distribute the appropriate public notice of said public hearing, at which time all interested parties will be heard.


PASSED and **ADOPTED** this _____ day of _____, 2005.

MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO FORM & LANGUAGE
& FOR EXECUTION:**

 _____
CITY ATTORNEY

1-27-05
DATE

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A resolution providing \$500,000 funds from the HOME Program for FY 2004/2005 towards the cost of the acquisition and rehabilitation of the apartment building located at 2800 Collins Avenue to provide 34 rental units for income-eligible elderly tenants in accordance with the HOME Program requirements.

Issue:

Shall the City of Miami Beach provide \$500,000 in HOME Program funds from the HOME Program for FY 2004/2005 towards the cost of the acquisition and rehabilitation of the apartment building located at 2800 Collins Avenue to provide 34 rental units for income-eligible elderly tenants in accordance with the HOME Program requirements.

Item Summary/Recommendation:

On December 8, 2004, the City committed \$1,100,000 of HOME Program funds from FY 2003/2004 to MBCDC for the acquisition and rehabilitation of the Villa Maria, an apartment building located at 2800 Collins Avenue. MBCDC is now requesting \$500,000 from the FY2004/2005 (\$800,000) previously committed to them for the development of affordable housing. The total amount of \$1,600,000 will complete the financing required for the acquisition of this apartment building, which will provide 34 units of rental housing to income-eligible elderly tenants.

The \$500,000 in CHDO funds could not be presented at the same time as the \$1.1 million HOME allocation in December 2004 as HUD had not released the 2004/05 HOME CHDO funding. Customarily, the Administration will not move forward with an item requiring commission action until HUD has released the required funding. Future funding will include \$800,000 HOME CHDO allocation of the \$800,000 set-aside allocation from FY 2005-06.

Advisory Board Recommendation:

On December 3rd, 2004, the City's Loan Review Committee recommended funding for an application from MBCDC for the requested \$1,600,000 to be utilized towards the acquisition of the apartment building located at 2800 Collins Avenue.

Financial Information:

Source of Funds:		Amount	Account	Approved
	1	\$500,000	151.5232	
	2			
	3			
	4			
	Total	\$500,000		

HOME
Program

Finance Dept.

City Clerk's Office Legislative Tracking:

Vivian P. Guzman

Sign-Offs:

Department Director	Assistant City Manager	City Manager

AGENDA ITEM

C7B

DATE

2-2-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 2, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A FIRST AMENDMENT TO THE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM AGREEMENT, DATED DECEMBER 8, 2004, BETWEEN THE CITY OF MIAMI BEACH AND MIAMI BEACH COMMUNITY DEVELOPMENT CORPORATION (MBCDC) PROVIDING \$500,000 FROM THE \$800,000 HOME CHDO FUNDS PREVIOUSLY ALLOCATED TO MBCDC BY THE CITY'S ONE YEAR ACTION PLAN FOR FY 2004/2005, TOWARDS THE COST OF THE ACQUISITION AND REHABILITATION OF THE VILLA MARIA, AN APARTMENT BUILDING LOCATED AT 2800 COLLINS AVENUE, MIAMI BEACH, TO PROVIDE AN ESTIMATED THIRTY FOUR (34) RENTAL UNITS FOR INCOME-ELIGIBLE ELDERLY TENANTS IN ACCORDANCE WITH THE HOME PROGRAM REQUIREMENTS.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The City has received an annual allocation of HOME Investment Partnerships (HOME) Program funds from the U.S. Department of Housing and Urban Development (HUD) since 1992 for the purpose of expanding the supply of housing for persons meeting the income criteria of the HOME Program. This Program encourages partnerships between the government and the private sector, including for-profit and not-for-profit organizations for the acquisition, construction and rehabilitation of housing. The HOME Program requires the City, in its capacity as a participating jurisdiction, to set aside a minimum of 15 percent of its annual allocation for a particular type of not-for-profit organization called a Community Housing Development Organization (CHDO). The CHDO is required to use these funds for housing development activities in which the CHDO is the owner, sponsor or developer of the housing. The Miami Beach Community Development Corporation (MBCDC) was designated as a CHDO in 1993.

On December 8, the City Commission adopted Resolution No. 2004-25757 authorizing the execution of a HOME Program Agreement with MBCDC, providing \$1,100,000 of HOME Program funds for the acquisition and rehabilitation of an apartment building located at 2800 Collins Avenue, to provide thirty four (34) rental units for income-eligible elderly tenants in accordance with the HOME Program requirements.

On July 30, 2003, the City adopted the One-year Action Plan for federal funds for Fiscal Year 2004/2005. The Plan provided a HOME CHDO set-aside allocation in the amount of \$800,000 of HOME Program funds to MBCDC for the acquisition and/or rehabilitation of multi-family buildings or scattered sites units for the purpose of providing rental and/or home ownership opportunities to income-eligible participants. Once MBCDC identifies an initiative and site to utilize the allocated funds, a project and site specific HOME Agreement is entered into.

MBCDC has identified the property at 2800 Collins as their desired HOME project. The property consists of approximately 18,052 square feet. The building is configured into 34 apartments of which five are one-bedroom units and 29 are efficiency units. The building is under a Project Based Section 8 contract with US HUD and Miami Beach Housing Authority that will expire in the year 2012. The residents are all elderly; most of them have been living in this building for close to 20 years. The building is in need of major rehabilitation, and has received several code violation notices from the City. There are also structural problems that will need to be addressed. An engineering report estimating rehabilitation costs at \$2,238,390 which include rendering the building structurally sound has been prepared by Pistorino & Alam Consulting Engineers, Inc.

In accordance with the HOME Program requirements, MBCDC will provide these rental units for income-eligible elderly tenants for a period of a minimum of 15 years after the rehabilitation of the building is complete.

In accordance with the HOME Program regulations, on December 19, 2004, MBCDC requested to utilize \$500,000 from their HOME CHDO allocation of \$800,000 from FY 2004/2005. The total MBCDC request of \$1.6 million (\$500,000 04/05 HOME CHDO funds and \$1,100,000 HOME program funds) from the City are to be used to purchase the building. Authorization of the additional \$500,000 of CHDO funds for the property purchase could not be taken up by the Commission at the same time as the allocation of the \$1,100,000 HOME funds as HUD had not released the 2004/05 HOME CHDO funding. Customarily, the Administration will not move forward with an item requiring commission action until HUD has released the required funding. Given the timing of the \$1.1 million HOME allocation in December 2004, two separate commission actions were required.

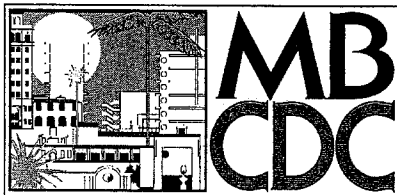
Future funding will include \$800,000 HOME CHDO allocation of the \$800,000 set-aside allocation from FY 2005-06 for the rehabilitation of the property. A project cost break down from the MBCDC is attached which indicates rehabilitation expenses and the sources of project funding.

On December 3, 2004, the Loan Review Committee recommended that the Mayor and City Commission approve a request from MBCDC for the utilization of \$500,000 from their HOME CHDO set-aside allocation towards the acquisition and rehabilitation of the building located at 2800 Collins Avenue, Miami Beach.

The Administration recommends that the Mayor and City Commission authorize the execution of a First Amendment to the HOME Investment Partnerships Program Agreement, dated December 8, 2004, between the City and MBCDC providing an additional \$500,000 from the \$800,000 HOME CHDO funds previously allocated to MBCDC by the City's One Year Action Plan for FY 04/05, towards the cost of the acquisition and rehabilitation of an apartment building located at 2800 Collins Avenue, Miami Beach, to provide an estimated thirty four (34) rental units for income-eligible elderly tenants in accordance with the HOME Program requirements.

Attachments

JMG/RCM/VPG/TU



Building and Sustaining Community -- Unique, Vibrant, Diverse

January 26, 2005

Mr. Jorge Gonzalez, City Manager
City of Miami Beach
1700 Convention Center Drive
Miami Beach FL 33139

Re: Villa Maria Apartments 2800 Collins Avenue, Miami Beach

Dear Jorge:

Enclosed please find a description of the proposed funding structure for the above project as requested. This Sources and Uses statement shows that the City will be contributing 40% of the total cost, the balance leveraged by County, State and bank financing. We also intend to apply to the Federal Home Loan bank of Atlanta for a grant as soon as they release their RFP. Any additional funding received would be used to further decrease the City's contribution. I hope this information will meet your requirements, and the request for the balance of funds to close will make it to the February 2, Commission meeting so that we will be ready to close.

Thanks for your continued support for this project.

Sincerely,

Roberto Datorre
President

MIAMI BEACH COMMUNITY DEVELOPMENT CORPORATION

945 Pennsylvania Ave. • Miami Beach, Florida 33139 • Phone 305 538-0090 • Fax 305 538-2863

SOURCES AND USES
VILLA MARIA APARTMENTS

	BUILDING: ADDRESS:	VILLA MARIA APARTMENTS 2800 Collins Ave Miami Beach Fl 33139	DATE: TIME:	25-Jan-05 05:12:35 PM	
1	USES		SQ FT	UNITS	
	Purchase Price	2,600,000	18,052	34	
	Construction Costs per Engineer Report	2,238,390	144		76,471
	Pre Development Costs	994,282	124		65,835
	Contingency on Construction	200,000	55		29,244
	Total Project Cost	6,032,672	11		5,882
			334		177,432
2	SOURCES		Maximum HOME Allowed		2,920,055
	City of Miami Beach HOME [Initial Amount]	1,100,000	City of Miami Beach - HOME 03/04		595,000
	City of Miami Beach HOME [2nd Amount]	1,320,055	City of Miami Beach - Program Inc		505,000
	Miami Dade County [HOME]	500,000	INITIAL AMOUNT		1,100,000
	Total Equity	2,920,055			
	2nd Mortgage - State SAIL	800,000			
	3rd Mortgage - Mliami Dade Surtax	1,500,000	City of Miami Beach HOME 04/05		508,331
	1st Mortgage - Bank	812,617	City of Miami Beach HOME 05/06		800,000
	Total Funding	6,032,672	City of Miami Beach Recaptured		11,724
			Second CMB Funding		1,320,055

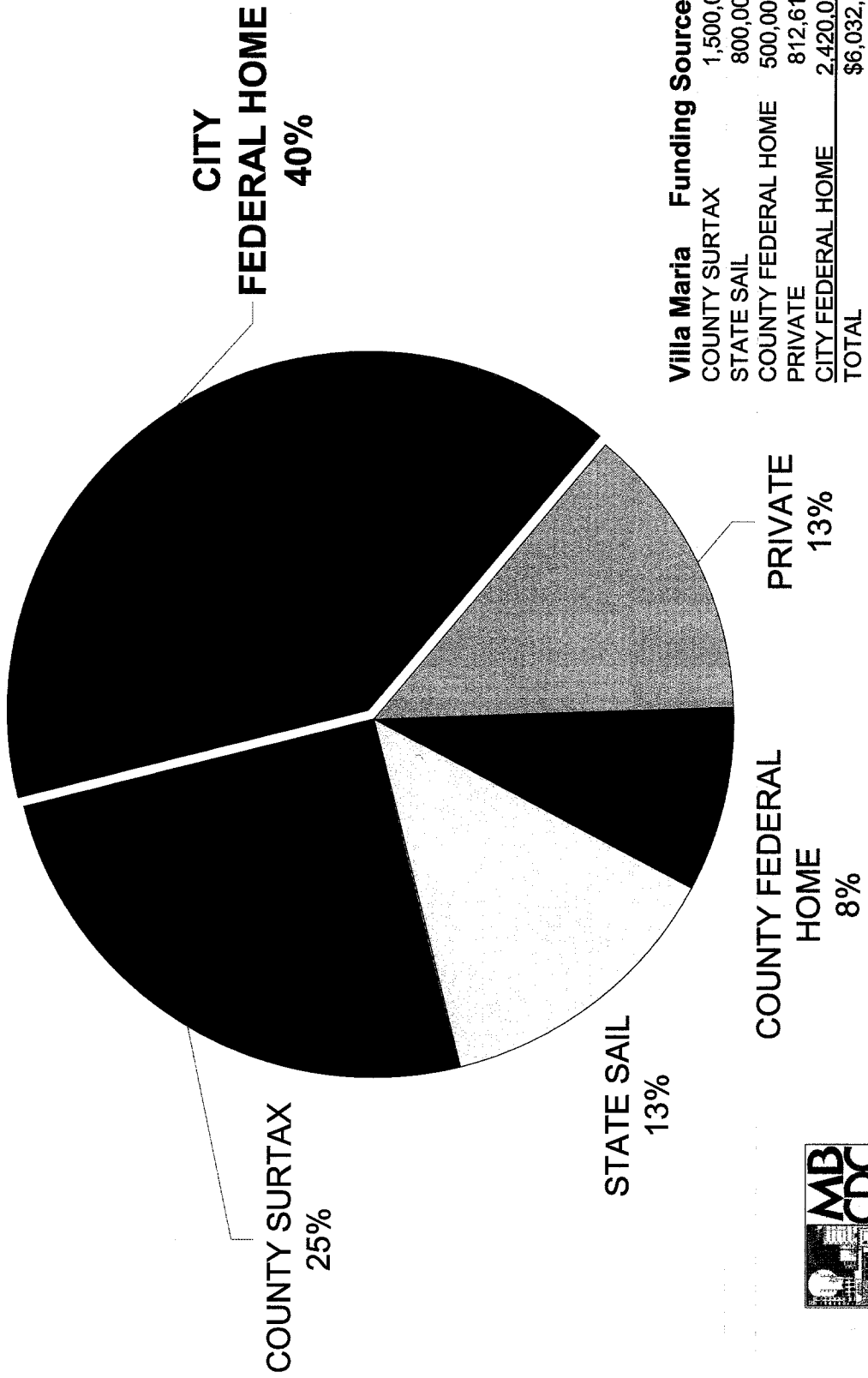
SOURCES AND USES

PRE DEVELOPMENT COSTS	
Relocation	68,000
Acq. Closing Costs....	25,000
State Closing Costs	20,000
Surtax Closing Costs	15,000
Legal Expenses	10,000
Appraisal	6,000
Survey	2,000
Const. Interest for 3 year @6%	168,000
Architect fee & Reimb	75,000
Consultant	0
Engineering	10,000
Environmental	70,000
Insurance/Builder's Risk	120,000
Inspection Fees	8,000
Permits/Fees	15,000
Property Taxes	30,282
Exterminating	2,000
Site/Utilities	10,000
Contingency	40,000
Sub Total	694,282
Developer's O/H & Profit	300,000
Total Soft Costs.....	994,282

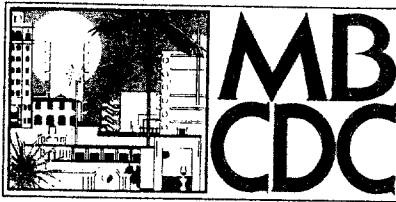
2800 Collins Avenue (Villa Maria)

Comparison of Funding Sources

MBCDC January 2005



Miami Beach Community Development Corporation



CMB
NEIGHBORHOOD SERVICES DEPT.

Building and Sustaining Community -- Unique, Vibrant, Diverse
3801 RE
7:31 PM

December 7, 2004

Mr. Thomas Urriola
Department of Community Development
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Re: Appraisal – Villa Maria Apartments

Dear Thomas:

Enclosed please find the final appraisal for the above-mentioned property in the amount of \$2,600,000. This appraisal was completed by a state certified property appraisal, J.B. Alhalde.

Please let me know if you have any questions regarding this matter.

Sincerely,

Roberto Datorre
President

Encls.

RECEIVED
COMMUNITY DEPT.
7 PM 1:31

J.B. ALHALE & ASSOCIATES, INC.
REAL ESTATE APPRAISERS AND CONSULTANTS
3475 SHERIDAN STREET, SUITE 313
HOLLYWOOD, FLORIDA 33021

JOZEF ALHALE, MAI
STATE CERTIFIED GENERAL APPRAISER
NO. RZ0001557

TEL: (954) 981-7008
FAX: (954) 981-7068
E-Mail: jbalhale@aol.com

December 6, 2004

Mr. Karl Kennedy
Housing Director
Miami Beach Community Development Corporation
945 Pennsylvania Avenue
Miami Beach, Florida 33139

SENT VIA
FACSIMILE

Re: **34-unit Villa Maria Apartments**
2800 Collins Avenue, Miami Beach, Florida

Dear Mr. Kennedy:

Legal Description: Lots 1, 2, 6 and 7, Block 10, Miami Beach Improvement Company Subdivision, as recorded in Plat Book 5, Page 7 of the Public Records of Miami-Dade County, Florida

I have made a physical inspection of the subject site and existing improvements and reviewed the contract of sale for \$2,600,000 between Neighborhood Development Limited (seller) and Miami Beach Community Development Corporation, a Florida non-profit organization (buyer) dated November 16, 2004, the income and operating expense statement, and performed market analysis to provide an estimate of the Market Value of the Leased Fee Interest in the subject property in its current "as is" condition in a continued rental apartment use for low-income elderly tenants at restricted rents, as well as the contributory value of the unused buildable area and development rights in the vacant western portion of the site, in a tax-exempt status, as of November 29, 2004.

The subject property consists of a 22,500 SF corner site located at the northwest corner of 28th Street and Collins Avenue, improved with a 21,472 SF three-story CBS 34-unit rental apartment building, originally built in 1924. The unit mix is comprised of twenty-nine efficiency units and five one bedroom-one bathroom units. The subject property is provided with a passenger elevator, a coin-operated laundry room and a paved parking lot with 23 parking spaces. The 22,500 SF site can be improved with up to 45,000 SF (22,500 SF site x 2.0 Floor Area Ratio = 45,000 SF Buildable Area). Accordingly, the vacant western 10,000 SF portion of the site can be theoretically developed with a 23,528 SF building. Based on a typical 15% common area factor and an average elderly rental unit size of 550 SF, up to 36 apartment units can be added, after a deduction of \$15,000 per unit in impact fees.

Mr. Karl Kennedy
December 6, 2004
Page Two

Based on an analysis of vacant land sales in Miami Beach, the estimated market value per square foot of buildable area was estimated to be \$55/SF to \$60/SF, resulting in a value range of \$1,294,040 (23,528 SF x \$55/SF) to \$1,411,680 (23,528 SF x \$60), or a reconciled \$1,350,000 for **unused development rights**, or an **estimated contributory value of \$810,000**, after a deduction for estimated impact fees in the amount of \$540,000 (\$15,000/unit x 36 units). Please refer to the attached chart which summarizes our market analysis.

I have utilized the Income Capitalization Approach to Value (indicating a market value estimate of **\$1,775,000**, after deducting a preliminary cost of repairs/renovation in the amount of \$12,500 per unit, plus 10% for contingency and reserves, or \$467,500), plus \$810,000 for the contributory value of the western portion of the site, or **\$2,585,000**. Please refer to the attached charts which summarize our market analysis.

In addition, the Sales Comparison Approach to Value indicated a market value estimate of **\$1,805,000**, after deducting a preliminary cost of repairs/renovation in the amount of \$12,500 per unit, plus 10% for contingency and reserves, or \$467,500; based on the reconciliation of \$2,275,000 via the Potential Gross Income Multiplier method; \$2,255,000 via the Net Income Multiplier method; and \$2,280,000 via the sale price/unit method), plus \$810,000 for the contributory value of the western portion of the site, or **\$2,615,000**. Please refer to the attached charts which summarize our market analysis.

It is my estimate that the Market Value of the Leased Fee Interest in the subject property in its current "as is" condition in a continued rental apartment use for low-income elderly tenants at restricted rents, as well as the contributory value of the unused buildable area and development rights in the vacant western portion of the site, in a tax-exempt status, as of November 29, 2004, was Two Million Six Hundred Thousand Dollars (\$2,600,000).

Sincerely,



Jozef Alhale, MAI
State Certified General Appraiser
License No. RZ 0001557

04-11-13 / enclosures

Mr. Karl Kennedy
December 6, 2004
Page Three

CONTINGENT AND LIMITING CONDITIONS

We assume no responsibility for matters legal in nature, nor do we render any opinion as to the title, which is assumed to be marketable. The property is appraised as though under responsible ownership and management.

We are not qualified, nor are we responsible for matters which are structural and/or engineering in nature, as they pertain to the subject improvements. The appraiser is further not qualified to confirm or deny the specific structural integrity of the subject improvements, nor to provide estimates of the cost for repair/remediation, if any adverse conditions exist. If a formal assessment of the structural condition/integrity of the subject improvements is required, we recommend that a duly qualified professional be engaged for such purposes.

When applicable, the sketch in this report is included to assist the reader in visualizing the property, and we assume no responsibility for its accuracy. We have made no survey of the property. We are not required to give testimony or appear in court because of having made this appraisal, with reference to the property in question, unless arrangements have been previously made thereof. Additional professional valuation services rendered would require further compensation under a separate contractual agreement.

Where applicable, the distribution of the total valuation in this report between land and improvements applies only under the existing program of utilizations. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

We assume that there are no hidden or unapparent conditions of the property, subsoil or structures which would render it more or less valuable. We assume no responsibility for such conditions or for engineering which might be required to discover such factors.

Information, estimates and opinions furnished to us and contained in this report were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy can be assumed by us.

Neither all nor any part of the contents of this report, or copy thereof, shall be used for any purpose by any but the client without the previous written consent of the appraiser, and/or the client; nor shall it be conveyed by any including the client to the public through advertising, publications, news, sales or other media, without the written consent and approval of the author, particularly the valuation conclusions, identity of the appraiser, or any reference to any professional society or institute or any initialed designation conferred upon the appraiser.

No one other than the undersigned prepared the analyses, conclusions and estimates concerning the real estate set forth in this appraisal.

J.B. ALHALE & ASSOCIATES, INC.
Real Estate Appraisers and Consultants

Mr. Karl Kennedy
December 6, 2004
Page Four

CONTINGENT AND LIMITING CONDITIONS - Continued

This restricted summary appraisal report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute, the Uniform Standards of Professional Appraisal Practice adopted by the Appraisal Standards Board of the Appraisal Foundation and the requirements of the State of Florida for state certified real estate appraisers, as well as current Federal regulatory agency criteria.

The restricted summary appraisal report can not be used in connection with a real estate syndicate(s) or securities related activity(ies) and is invalid if so used without the previous knowledge or written consent of the appraiser. Said activities include but would not be limited to activities which are required to be registered with the United States Securities and Exchange Commission or any state regulatory agency regulating investments made as a public offering, as well as activities involving Real Estate Investment Trusts, Limited Partnerships, Mortgage Backed Securities and any other transaction which is subject to the securities Exchange Act of 1933, the Securities Exchange Act of 1934, the Trust Indenture Act of 1939, the Investment Advisors Act of 1940 or State Blue Sky or securities laws or any amendments thereto.

The existence of hazardous materials, which may or may not be present on the property, was not observed. We have no knowledge of the existence of such materials on or in the property, nor are we qualified to detect such substances. The presence of potentially hazardous materials and/or substances may affect the value of the property. The value estimate reflected in this appraisal report is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

The Americans with Disabilities Act ("ADA") became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the "ADA". It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the "ADA" could reveal that the property is not in compliance with one or more of the requirements of the Act. Since we have no direct evidence relating to this issue, we did not consider possible non-compliance with the requirement of "ADA" in estimating the value of the property.

J.B. ALHALE & ASSOCIATES, INC.
Real Estate Appraisers and Consultants

Mr. Karl Kennedy
December 6, 2004
Page Five

CERTIFICATION

The undersigned do hereby certify that, to the best of our knowledge and belief, except as otherwise noted in the restricted summary appraisal report prepared for the exclusive use of the Miami Beach Community Development Corporation:

- The statements of fact contained in this report, upon which the analyses, opinions and conclusions expressed herein are based, are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, unbiased professional analyses, opinions and conclusions.
- We have no present or prospective interest in the property that is the subject of this report and we have no personal interest or bias with respect to the parties involved.
- The amount of our compensation is not contingent upon an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report.
- Our analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute, the Uniform Standards of Professional Appraisal Practice adopted by the Appraisal Standards Board of the Appraisal Foundation and the requirements of the State of Florida for state certified real estate appraisers, as well as current Federal regulatory agency criteria.
- The appraisal assignment has not been based on a required minimum valuation, a specific valuation, or the approval of a loan.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives, as well as the Florida Real Estate Appraisal Board.
- As of the date of this report, Jozef Alhale has completed the requirements of the continuing education program of The Appraisal Institute.
- The appraiser has personally inspected the subject property which is described in this report.
- No one other than the undersigned prepared the analyses, conclusions and opinions concerning real estate that are set forth in this appraisal report, nor provided significant professional assistance to the persons signing this report.

It is the opinion of the undersigned that the Market Value of the Leased Fee Interest in the subject property in its current "as is" condition in a continued rental apartment use for low-income elderly tenants at restricted rents, as well as the contributory value of the unused buildable area and development rights in the vacant western portion of the site, in a tax-exempt status, as of November 29, 2004, was as described herein.



Jozef Alhale, MAI
State Certified General Appraiser
License No. RZ 0001557

J.B. ALHALE & ASSOCIATES, INC.
Real Estate Appraisers and Consultants

VACANCY AND COLLECTION LOSS:	6.0%
ANCILLARY INCOME (Laundry, etc.):	2.0%
NUMBER OF EFFICIENCY UNITS:	28
CONTRACT RENT/UNIT (1):	\$488
NUMBER OF 1 BR/1 BATH UNITS:	5
CONTRACT RENT/UNIT (1)	\$542
NUMBER OF UNITS:	34
GROSS BUILDING AREA:	21,472
NET LIVING AREA (SF):	15,150
CONTRACT GROSS RENTAL INCOME (1):	\$202,692

2800 COLLINS AVENUE, MIAMI BEACH, FLORIDA

**RENTAL LOW-INCOME ELDERLY HOUSING
STABILIZED INCOME & EXPENSE ANALYSIS**

	% of EGI	Per SF	Per Unit	Year Ona
ESTIMATED POTENTIAL GROSS INCOME				
Potential Gross Rental Income		\$13.38	\$5,962	\$202,692
Potential Ancillary Income		\$0.27	\$119	\$4,054
Total Potential Gross Income		\$13.65	\$6,081	\$206,746
Vacancy & Collection Loss %				5.0%
Less: Vacancy & Collection Loss	5.0%	\$0.68	\$304	\$10,337
Total Effective Gross Income				\$196,409
EFFECTIVE GROSS INCOME	100.0%	\$12.96	\$5,777	\$196,409
OPERATING EXPENSES:				
Fixed Expenses:				
Real Estate Taxes (2).	0.0%	\$0.00	\$0	\$0
Insurance	9.1%	\$1.18	\$525	\$17,850
Total Fixed Expenses	9.1%	\$1.18	\$525	\$17,850
Operating Expenses:				
Management and Leasing	4.0%	\$0.52	\$231	\$7,880
Common Area Electricity	0.6%	\$0.08	\$35	\$1,200
Water & Sewer	4.3%	\$0.56	\$250	\$8,500
Waste Removal	2.0%	\$0.26	\$118	\$4,000
Repairs, Maintenance & Contract Services	5.2%	\$0.67	\$300	\$10,200
Legal and Professional Fees	0.9%	\$0.11	\$50	\$1,700
Miscellaneous	0.4%	\$0.08	\$25	\$850
Total Variable Expenses	17.6%	\$2.28	\$1,009	\$34,310
Total Fixed and Variable Expenses	26.6%	\$3.44	\$1,534	\$52,160
Reserves for Replacements	4.9%	\$0.64	\$284	\$9,640
Total Expenses	31.5%	\$4.08	\$1,818	\$61,800
NET OPERATING INCOME	68.5%	\$8.89	\$3,959	\$134,609

CAPITALIZATION RATE (NOVEMBER 2004)	6.0%
	\$2,243,483
PRELIMINARY COST OF NECESSARY REPAIRS AND ESTIMATED RENOVATION BUDGET OF \$12,500 PER UNIT PLUS 10% CONTINGENCY AND RESERVES	\$467,500
	\$1,775,983
	ROUNDED \$1,776,000
ESTIMATED CONTRIBUTORY VALUE OF THE UNUSED BUILDABLE AREA/DEVELOPMENT POTENTIAL (3)	\$610,000
ESTIMATED MARKET VALUE IN "AS IS" CONDITION IN A CONTINUED AFFORDABLE RENTAL APARTMENT USE UNDER A NON-PROFIT TAX-EXEMPT OWNERSHIP, TAKING INTO ACCOUNT THE UNUSED DEVELOPMENT POTENTIAL OF THE VACANT WESTERN PORTION OF THE SITE	Rounded \$2,585,000
	Per Unit \$76,008
	Per SF (GBA) \$120.39

(1): The subject 34-unit apartment building is rented to low-income elderly at below-market restricted rents.

(2): The subject 34-unit apartment building will be rented to low-income elderly at below-market restricted rents, under the ownership of the non-profit Miami Beach Community Development Corporation, a tax-exempt non-profit organization.

(3): The 22,500 SF subject site is improved with a 21,472 SF 3-story rental apartment building. The total buildable area is 45,000 SF, resulting in an unused buildable area of 23,528 SF to be situated at the western 10,000 SF portion of the site, currently utilized as a parking lot. Based on a typical 16% common area allocation and average unit size of 550 SF, 36 units can be potentially added at the western vacant portion of the site, after a deduction of \$15,000 per unit in parking impact fees. See attached chart of land sale analysis.

J.B. ALHALE & ASSOCIATES, INC.
Real Estate Appraisers and Consultants

Subject Property	Address	Improved Sale 1	Improved Sale 2	Improved Sale 3	Improved Sale 4	Improved Sale 5	Improved Sale 6	Improved Sale 7	Improved Sale 8	Improved Sale 9	Improved Sale 10
2800 Collins Avenue Miami Beach		928 Michigan Avenue Miami Beach	1035 Euclid Avenue Miami Beach	1235 Euclid Avenue Miami Beach	1011 Michigan Avenue & 935-845 10th Street Miami Beach	1619 Jefferson Avenue Miami Beach	1611 Michigan Avenue Miami Beach	1310 Euclid Avenue Miami Beach	1034 Pennsylvania Avenue Miami Beach	233 27th Street Miami Beach	
3-story	Type	2-story	2-story	2-story	2-story	3-story	3-story	2-story	2-story	2-story	
21,472	Building Area	5,713	7,408	7,165	8,260	12,742	13,663	7,324	17,449	7,011	5,706
22,500	Land Area	7,020	7,000	7,000	14,000	9,250	7,500	7,000	21,000	7,000	5,000
1.05	Land-to-Building Ratio	1.23	0.94	0.98	1.51	0.65	0.55	0.95	1.20	1.00	0.88
34	Units	8	16	16	11	27	27	12	24	16	15
Hotel Room Efficiency											
29	1 BR/1 Bath		12			12	21	8		14	7
5	1 BR/2 Bath	8	4	16	10	15	6	4	15	2	1
	2 BR/1 Bath										
	2 BR/1.5 Bath										
	2 BR/2 Bath										
	3 BR/3 Bath				1				8		
									1		
1524	Year Built	1925	1955	1958	1933	1926	1938	1950	1936 & 1941	1958	1935
Average	Condition	Average	Average	Average	Very Good	Average	Average	Average	Average	Average	Average
MXE	Zoning	RM-1	RM-1	RM-1	RM-1	RM-1	RM-1	RM-1	RM-1	RM-1	MXE
	Date of Sale	9/8/2004	8/31/2004	8/24/2004	1/29/2004	1/24/2004	1/23/2004	3/19/2004	3/22/2004	12/23/2003	10/6/2004
	Consideration	\$910,000	\$1,350,000	\$1,620,000	\$1,175,000	\$2,025,000	\$2,025,000	\$1,087,500	\$2,400,000	\$1,155,500	\$1,025,000
	Financing	Cash to the Seller	Cash to the Seller	Cash to the Seller	Cash to the Seller	Cash to the Seller	Cash to the Seller	Cash to the Seller	Cash to the Seller	Cash to the Seller	
	Cash Equivalent Sale Price	\$910,000	\$1,350,000	\$1,620,000	\$1,175,000	\$2,025,000	\$2,025,000	\$1,087,500	\$2,400,000	\$1,155,500	\$1,025,000
	Cash Equivalent Sale Price/SF	\$159.29	\$182.24	\$226.10	\$128.89	\$166.92	\$148.21	\$148.48	\$137.54	\$164.81	\$179.64
	Average Price/Unit	\$113,800	\$84,400	\$101,300	\$106,800	\$73,000	\$75,000	\$90,600	\$100,600	\$72,200	\$65,300
	Indicated Capitalization Rate	4.98%	5.57%	5.31%	5.94%	7.33%	7.60%	6.03%	6.38%	6.06%	5.66%
	Potential Gross Income Multiplier	11.51	11.03	12.05	9.86	7.94	8.88	9.45	8.71	10.32	9.54
	Net Income Multiplier	20.10	17.96	18.82	16.82	13.63	13.15	16.58	15.66	16.31	17.67
	Sales Price/Unit										
Hotel Room Efficiency											
1 BR/1 Bath		\$13,800	\$29,400	\$101,300	\$101,600	\$55,100	\$70,800	\$82,500	\$86,600	\$70,300	\$60,100
2 BR/1 Bath			\$39,300		\$101,600	\$80,100	\$89,800	\$106,900	\$95,600	\$85,800	\$74,400
2 BR/2 Bath					\$159,300				\$113,500		\$83,000
3 BR/3 Bath									\$192,100		

J.B. ALHALE & ASSOCIATES, INC.
Real Estate Appraisers and Consultants

Location	Subject Site	Land Sale One	Land Sale Two	Land Sale Three	Land Sale Four	Land Sale Five	Land Sale Six
	NW/C of 28TH STREET AND COLLINS AVENUE MIAMI BEACH	S/E/C of 5TH STREET AND MICHIGAN AVE. MIAMI BEACH	100' NORTH OF NW/C of 13TH STREET AND ALTON ROAD MIAMI BEACH	160 FEET SOUTH OF SW/C of 3RD STREET AND WASHINGTON AVE. MIAMI BEACH	SW/C of 14TH TERRACE AND WEST AVENUE MIAMI BEACH	NW/C of 14TH TERRACE AND WEST AVENUE MIAMI BEACH	S/E/C of 12TH ST. N/E/C of 11TH ST. AND WEST AVE. MIAMI BEACH
Site Size (SF)	22,500	7,000	15,000	7,000	15,000	12,000	19,479
Site Size (Acre)	0.52	0.16	0.34	0.16	0.37	0.28	0.45
Zoning	RM-2	CPS-2	CD-1	RPS-2	RM-1	RM-1	RM-2
FAR (Base)	2.00	2.00	1.00	1.50	1.25	1.25	2.00
FAR (Maximum)	2.00	2.00	1.00	1.50	1.25	1.25	2.00
Base							
Buildable Area (1)	23,528	14,000	15,000	10,500	20,000	15,000	38,958
Maximum							
Buildable Area (1)	23,528	14,000	15,000	10,500	20,000	15,000	38,958
Date of Sale	-	8/18/2009	4/21/2003	5/4/2001	4/11/2003	3/13/2001	5/31-8/20/2001
Price	-	\$765,000	\$875,000	\$750,000	\$1,400,000	\$900,000	\$2,340,000
Financing	-	Cash to the Seller	Cash to the Seller	Cash to the Seller	Cash to the Seller	Cash to the Seller	Cash to the Sellers
Cash Equivalent Sale Price	-	\$765,000	\$975,000	\$750,000	\$1,400,000	\$900,000	\$2,340,000
Cash Equivalent Sale Price/SF	-	\$109.29	\$65.00	\$107.14	\$87.50	\$75.00	\$120.13
Cash Equivalent Sale Price/SF	-	\$54.64	\$65.00	\$71.43	\$70.00	\$50.00	\$60.08
Buildable Area @ Base FAR	-	\$54.64	\$65.00	\$71.43	\$70.00	\$50.00	\$60.08
@ Max. FAR	6%	23.0%	8.0%	18.6%	8.3%	19.6%	17.2%
Time Adjustment/Year	-	\$941,300	\$1,053,300	\$889,700	\$1,515,500	\$1,076,300	\$2,742,100
Time Adjusted Price	-	\$134.47	\$70.22	\$127.10	\$94.72	\$89.69	\$140.77
Time Adjusted Price/SF	-	\$57.24	\$70.22	\$84.73	\$75.78	\$71.75	\$70.39
Time Adjusted Price of Buildable Area/SF	-	-10%	-20%	-20%	-20%	-20%	-20%
Location:	-	-10%	-5%	-10%	-5%	-5%	0%
Size / Scale:	-	-10%	-5%	-10%	-5%	-5%	0%
Frontage/Exposure:	-	0%	5%	5%	0%	0%	-10%
Development Potential:	-	10%	10%	10%	5%	5%	0%
Permitted Uses:	-	-10%	-10%	0%	0%	0%	0%
Adjusted Sale Price	-	\$753,000	\$790,000	\$756,200	\$1,212,400	\$851,000	\$1,919,500
Adjusted Sale Price/SF	-	\$107.57	\$52.67	\$108.03	\$75.78	\$71.75	\$98.54
Adjusted Sale Price of Buildable Area / SF	-	\$53.79	\$52.67	\$72.02	\$60.62	\$57.40	\$49.27

(1): The 22,500 SF subject corner site is improved with a 21,472 SF three-story rental apartment building. The total buildable area is 45,000 SF, resulting in an unused buildable area of 23,528 SF to be situated at the western 10,000 SF portion of the site, currently utilized as a parking lot.

BUILDABLE AREA/SF: \$57.83 Average

BUILDABLE AREA/SF: \$55.00
\$50.00
\$1,294,040
\$1,411,680
RECONCILED
LESS: IMPACT FEES
\$540,000
\$810,000
CONTRIBUTORY VALUE

Address	Occupancy	Year Built/ Condition	Total No. of Units	Number of Units	Unit Mix Ratio	Unit Type	Unit Size (SF)	Monthly Rent	
								Range	Range/SF
1) 1536-1542 Jefferson Avenue Miami Beach, Florida	100%	1938 Average	16	12 4	54.5% 18.2%	1/1 2/1	600 875	\$825 \$1,250	\$1.38 \$1.43
2) 1310 Euclid Avenue Miami Beach, Florida	82%	1950 Average	12	8 4	66.7% 33.3%	Studio 1/1	380 760	\$600 \$900	\$1.58 \$1.18
3) 1030-1040 Jefferson Avenue Miami Beach, Florida	100%	1936 & 1941 Average	24	15 8 1	62.5% 33.3% 4.2%	1/1 2/2 3/3	510 785 1,370	\$725 \$1,000 \$1,850	\$1.42 \$1.27 \$1.35
4) 844-858 Euclid Avenue Miami Beach, Florida	100%	1938 + Average	22	6 2 14	27.3% 9.1% 63.6%	Studio Studio 1/1	450 550 800	\$700 \$775 \$700	\$1.56 \$1.41 \$1.30
5) 1319 Meridian Avenue Miami Beach, Florida	100%	1926 Average	24	12 12	50.0% 50.0%	Studio 1/1	430 440	\$725 \$750	\$1.69 \$1.70
6) 818 Pennsylvania Avenue Miami Beach, Florida	84%	1946 Average	18	18	100.0%	1/1	500	\$850	\$1.70
7) 929 Michigan Avenue Miami Beach, Florida	100%	1925 Average	8	8	100.0%	1/1 Den / 1	600	\$775	\$1.29
8) 4100 Collins Avenue Miami Beach, Florida	95%	1947 Average	54	36 17 1	66.7% 31.5% 1.9%	Furn. Studio 1/1 3/2	234 350 971	\$750 \$750 Manager	\$3.21 \$2.14 \$1.39
9) 3030 Collins Avenue Miami Beach, Florida	100%	1941 Average	33	4 25 4	12.1% 75.8% 12.1%	Studio 1/1 2/1	495 385 990	\$550 \$600 \$900	\$1.11 \$1.56 \$0.91

Type	Low	High	Low/SE	High/SE
Studio	\$550	\$950	\$1.11	\$3.21
1/1	\$600	\$1,250	\$1.18	\$2.14
1/Den/1	\$775	\$850	\$1.29	\$1.42
2/1	\$900	\$1,250	\$0.91	\$1.43
2/2	\$1,000	\$1,185	\$1.27	\$1.51
3/3	\$1,850	\$1,850	\$1.35	\$1.35

J.B. ALHALE & ASSOCIATES, INC.
Real Estate Appraisers and Consultants

**2800 COLLINS AVENUE
MIAMI BEACH, FLORIDA**

ANNUAL RESERVES

<u>Component</u>	<u>Total Replacement Cost</u>	<u>Estimated Life</u>	<u>Replacement Factor</u>	<u>Reserve /Year</u>
HVAC	\$11,100	10	100%	\$1,110
Roof Cover	\$25,100	20	100%	\$1,255
Elevator	\$35,000	20	35%	\$613
Painting (Units)	\$11,050	3	100%	\$3,683
Paving	\$15,000	10	50%	\$750
Painting (Exterior)	\$7,600	10	100%	\$760
Appliances	\$22,100	15	100%	\$1,473
				\$9,644
TOTAL				\$9,640
PER UNIT				\$284

**J.B. ALHALE & ASSOCIATES, INC.
Real Estate Appraisers and Consultants**

THE VILLA MARIA APARTMENTS

COLLINS AVE., MIAMI BEACH

PROJECT DESCRIPTION

The Villa Maria is a Mediterranean structure built in 1924, located at 2800 Collins Avenue in Miami Beach. The building consists of 18,000 square feet, configured into 5 one bedrooms and 29 studios, a total of 34 housing units. The property consists of 4 lots, with the building located on two lots, and two lots vacant used for 34 parking spaces. The building is also located in a prime location among upscale condominiums, one block from the ocean.

The building is currently under a Project Based Section 8 contract with US HUD and Miami Beach Housing Authority that will expire in year 2012. The residents are all elderly, most of them have been living in this building for up to 20 years. Currently, the building is in need of major rehabilitation, and has received several code violations notices from the City. There are also structural problems that will need to be addressed.

In it's effort to preserve these units as affordable housing, MBCDC is proposing the acquisition and rehabilitation of this property, using a combination of City, County and State funds, together with Bank financing to layer the necessary financing to achieve this goal. Initially, MBCDC will close with city funding and seller financing for up to two years, then pursue the various grant opportunities to obtain funds to take out the seller financing. This project would be the largest project physically and financially, that MBCDC has undertaken to date.

RESOLUTION TO BE SUBMITTED

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Resolution approving the budget and marketing plan submitted by Lincoln Road Marketing, Inc. for the purpose of marketing and promoting Lincoln Road.

Issue:

Should the City approve the new Lincoln Road Marketing budget and allow concession revenue from the markets and directories to fund part of the marketing program?

Item Summary/Recommendation:

Approve the Resolution.

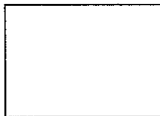
Advisory Board Recommendation:

Finance and Citywide Projects Committee – October 26, 2004

Financial Information:

Amount to be expended:

Source of Funds:



Finance Dept.

	Amount	Account	Approved
1	\$60,000	Account # 011.9322.000.327	
2			
3			
Total	\$60,000		

City Clerk's Office Legislative Tracking:

Kevin Crowder, Economic Development

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM C7C

DATE 2-2-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
<http://ci.miami-beach.fl.us>



COMMISSION MEMORANDUM

TO: Mayor David Dermer and
Members of the City Commission

DATE: February 2, 2005

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE ATTACHED BUDGET SUBMITTED BY LINCOLN ROAD MARKETING, INC. (LRMI), UTILIZING REVENUE GENERATED FROM THE LINCOLN ROAD FARMER'S MARKET, THE ANTIQUE & COLLECTIBLES MARKET AND ADSHELL DIRECTORIES FOR THE PURPOSE OF MARKETING AND PROMOTING LINCOLN ROAD.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS:

Lincoln Road Marketing Inc. (LRMI) was formed after the demise of the Lincoln Road Partnership to serve as the not-for-profit representation on issues affecting the Lincoln Road community. Their primary goal has been marketing Lincoln Road as a destination for residents and tourists alike with emphasis on shopping, culture and dining. All contributions to the organization have been voluntary and consequently professional marketing and promotional initiatives have been sporadic.

On March 14, 2001, the Mayor and City Commission appropriated \$49,000 in Lincoln Road concession revenue for use for promoting and marketing Lincoln Road. To date, Lincoln Road Marketing, Inc. has used \$32,102.43 toward this effort, with an additional \$14,276.18 (directory inserts, Electrowave advertising, Charter Communications, brochure inserts) earmarked for use before the end of December. On February 26, 2003, the Mayor and City Commission appropriated \$37,784.75 in Lincoln Road concession revenue for use of promoting and marketing Lincoln Road.

Lincoln Road Marketing, Inc. is requesting approval of a 2005 budget of \$60,000.00 (attached) which represents a portion of the balance of \$116,384.30 in concession revenue that the City has collected since the February 2003 appropriation. The balance of the collected revenues has been incorporated into a 5-year core budget and marketing plan along with the minimum amounts that projected to be received pursuant to the agreements for the directories and markets.

Additionally, LRMI will provide an enhanced marketing budget each year, based on the actual revenue collected above and beyond the minimum amounts projected in the agreements.

Summary – Lincoln Road Markets and User Fees

1999-2000	\$26,207.63
2000-2001	\$23,914.46
2000-2002	\$29,290.19
2000-2003	\$744.12
2000-2004	\$34,802.97
Adshell	\$81,581.33
TOTAL	\$196,540.07
Less 2001 Appropriation	\$49,000.00
Less 2003 Appropriation	\$31,156.40
Balance	\$116,384.30

In 1999, 10.2% of the visitors to Greater Miami visited Lincoln Road, and that figure rose to 31.0% in 2003. Although visitation has increased, LRMI wishes to further increase market penetration through the continued development of the marketing program.

Attached, please find correspondence from LRMI that further describes their plans and request.

This year LRMI collected almost \$30,000 from the property/business owners be used for the facilitation of the Board of Directors Election/Town Hall meeting and other special projects. Attached, please find a list of the new Board of Directors, elected by the LRMI membership in November 2004.

LRMI will submit expenditure requests to the City's Economic Development Department for determination that the request is an eligible item for use of these funds. The City will then process eligible expenses. Ineligible expenses will be the responsibility of LRMI.

CONCLUSION:

The Administration recommends that the Mayor and City Commission approve the attached budget of Lincoln Road Marketing, Inc. for the purpose of marketing Lincoln Road as a destination.

JMG/CMC/kc

Attachments (2)

Proposed Budget and Five Year Plan

Letter from LRMI

Lincoln Road Marketing, Inc. Board of Directors

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE ATTACHED BUDGET FOR FISCAL YEARS 2004/05 THROUGH 2008/09, SUBMITTED BY LINCOLN ROAD MARKETING, INC. (LRMI), UTILIZING REVENUE GENERATED FROM THE LINCOLN ROAD FARMER'S MARKET, THE LINCOLN ROAD ANTIQUE & COLLECTIBLES MARKET AND ADSHEL DIRECTORIES ON LINCOLN ROAD FOR THE PURPOSE OF MARKETING AND PROMOTING LINCOLN ROAD.

WHEREAS, the Lincoln Road Marketing, Inc. (LRMI) is the successor to the Lincoln Road Partnership, serving as the not-for-profit representative on issues affecting the Lincoln Road community; and

WHEREAS, its primary goal has been marketing of Lincoln Road as a destination for residents and tourists with an emphasis on shopping, culture, dining, etc.; and

WHEREAS, LRMI appeared at the January 3, 2001 Finance and Citywide Projects Committee and was granted approval for the use of City concession revenues from the Lincoln Road Farmer's Market and the Antique and Collectibles Market for a Lincoln Road Marketing program; and

WHEREAS, at its regular meeting on March 14, 2001, the Mayor and City Commission authorized LRMI to utilize concession revenue generated from the aforesated Lincoln Road markets for the sole purpose of marketing Lincoln Road, and appropriated \$49,000 of available concession revenues for marketing; and

WHEREAS, LRMI has utilized its original appropriation for the marketing of Lincoln Road, including the development of signage, brochures and television commercials; and

WHEREAS, at its regular meeting on February 26th, 2003, the Mayor and City Commission authorized LRMI to utilize concession revenue generated from the Lincoln Road markets for the sole purpose of marketing Lincoln Road, and appropriated the use of the additional concession revenues in the amount of \$37,874.75; and

WHEREAS, the City currently has an Agreement with Clear Channel Adshel Inc., for the construction, operation and maintenance of directory structures and street name signs on Lincoln Road, effective through April 18, 2006 (the Agreement); and

WHEREAS, the terms of the Agreement provide for the payment on a quarterly basis, from Adshel to the City, of the greater of either one thousand three hundred dollars (\$1,300) per structure per year or twenty percent (20%) for year one; and

WHEREAS, the City has collected an additional \$116,384.33 of revenues from the markets and revenues from the directories being maintained on Lincoln Road by Adshel pursuant to the Agreement; and

WHEREAS, LRMI has submitted a proposed budget for Fiscal Years 2004/05 through 2008/09 for use of the additional funds for the marketing of Lincoln Road that is attached and incorporated as Exhibit A to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission approve the attached budget for Fiscal Years 2004/05 through 2008/09, submitted by Lincoln Road Marketing, Inc. (LRMI), utilizing revenue generated from the Lincoln Road Farmer's Market, the Antique and Collectibles Market and the Adshel Directories on Lincoln Road for the purpose of marketing and promoting Lincoln Road.

PASSED and **ADOPTED** this _____ day of _____, 2005.


Mayor

ATTEST:

City Clerk

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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney 11/7/05
Date

LINCOLN ROAD MARKETING INC. - FIVE YEAR BUDGET AND WORKPLAN

CORE BUDGET

Income	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
Adshel	\$ 30,000	\$ 13,000	\$ 20,000	\$ 20,000	\$ 20,000
Markets	\$ 12,000	\$ 30,000	\$ -	\$ -	\$ -
Other	\$ 116,384	\$ -	\$ -	\$ -	\$ -
Carryover	\$ -	\$ 97,884	\$ 96,884	\$ 72,884	\$ 48,884
Total	\$ 158,384	\$ 140,884	\$ 116,884	\$ 92,884	\$ 68,884
Expenses					
Brochure Production	\$ 4,400	\$ 4,400	\$ 4,400	\$ 4,400	\$ 4,400
Brochure Distribution	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
TV Commercial Update	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Rack Card Design	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800
Rack Card Printing/Distribution	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
Web Site	\$ 7,500	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Cultural Events - Arts Walk	\$ 6,800	\$ 6,800	\$ 6,800	\$ 6,800	\$ 6,800
Total Core Expenses	\$ 50,500	\$ 44,000	\$ 44,000	\$ 44,000	\$ 44,000
Transfer to Enhancements	\$ 10,000	\$ -	\$ -	\$ -	\$ -
Balance	\$ 97,884	\$ 96,884	\$ 72,884	\$ 48,884	\$ 24,884

ENHANCEMENTS

Income					
Adshel	\$ -	\$ 60,000	\$ 64,000	\$ 64,000	\$ 70,000
Markets	\$ -	\$ -	\$ 20,000	\$ 18,000	\$ 15,000
Other	\$ 10,000	\$ -	\$ -	\$ -	\$ -
Carryover	\$ -	\$ -	\$ 15,000	\$ 24,750	\$ 26,688
Total	\$ 10,000	\$ 60,000	\$ 99,000	\$ 106,750	\$ 111,688
Visimap	\$ 3,500	To Be Determined during annual budget process			
Print Advertising	\$ 6,500				
Total Enhancement Expenses	\$ 10,000	\$ 45,000	\$ 74,250	\$ 80,063	\$ 83,766
Balance	\$ -	\$ 15,000	\$ 24,750	\$ 26,688	\$ 27,922

TOTAL PROJECTED BUDGET

Income	\$ 168,384	\$ 200,884	\$ 215,884	\$ 199,634	\$ 180,572
Expense	\$ 14,400	\$ 49,400	\$ 78,650	\$ 84,463	\$ 88,166
Reserve	\$ 153,984	\$ 151,484	\$ 137,234	\$ 115,172	\$ 92,406

Exhibit A



January 21, 2005
Kevin Crowder
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Dear Kevin,

Lincoln Road Marketing Inc. (LRMI) is a non-profit collective of merchants and property owners who have combined forces to promote Lincoln Road as Miami Beach's premiere destination for dining, shopping, strolling and the arts.

This historic twelve-block stretch was originally designed to be Miami Beach's answer to New York's 5th Avenue. Today Lincoln Road takes its place among the most unique and vibrant shopping streets anywhere in the world.

LRMI is requesting funds be allocated to our budget for a targeted marketing and promotional campaign, to be executed within the Lincoln Road business district and beyond, reaching visitors and residents alike. The funds requested are generated from the Farmer's Market, Antiques & Collectibles Market and the outdoor Ad Shell Directories.

Currently, a special focus is expanding and enhancing cultural activities on Lincoln Road. Our new monthly Arts Walk is designed to bring back the focus on the arts to Lincoln Road and to benefit groups associated with fostering and assisting various cultural entities. We are currently in the process of expanding print, radio and television coverage of the event. Another example is creating a partnership with the City to celebrate the re-opening of the Colony Theatre.

A top priority is to go about finding ways to address the "disconnect" between the Convention Center and the road itself, through a specialized outreach to conventioners before and during their stays. To that end, we have already begun working closely with the MBCC and the Hotel/Motel Association to insure that the 2005 MPI Convention is a huge success, bringing meeting business to Miami Beach for years to come.

The LRMI Marketing Plan includes, but is not limited to, widely-distributed brochure/maps, print, radio and television advertising, banner flying on the beach, an outreach at the Convention Center, VisiMap, website design and hosting, outdoor advertising, travel publications, newsletter, GMCVB Shop Miami program, additional holiday decorations, special events and more.

LRMI will dedicate itself to continuing to strive for excellence and developing a world-wide reputation as Miami's must-see outdoor mall. LRMI will conduct an ongoing search for new and cutting-edge ways to promote itself as the premiere dining, shopping, strolling and arts experience, while incorporating traditional and proven marketing methods. Our newly elected Board and Officers bring the energy and combined skill set to make our vision a reality, along with your assistance.

Property owners pay taxes to the City of Miami Beach. Landlords must be able to collect rents from tenants to continue to pay these taxes. If we are unable to pay today's market rent and go out of business because revenues don't support those rates, the ensuing domino effect will wreck havoc with our local economy.

Through its focused, collaborative, voluntary and participatory effort, and with the assistance of funding from the City of Miami Beach, LRMI will continue to drive traffic to the Lincoln Road Business District, thus keeping the local economy moving and booming. It is through these efforts that this area will maintain the wave of success we are currently experiencing. To date, we have a membership drive that has collected over \$26,000 in dues, with another \$10,000 in verbal commitments.

LRMI looks forward to working closely with the City of Miami Beach, and the exciting things we can, and will, accomplish in the future. We thank you in advance for your commitment and dedication to the continued success of Lincoln Road, and Miami Beach as a whole.

Lincoln Road Marketing Inc.

LINCOLN ROAD MARKETING INC. BOARD OF DIRECTORS									
NAME	COMPANY	PHONE	FAX	E-MAIL	ADDRESS	CITY	ST.	ZIP	CATEGORY
Brian Guertin	Touch Restaurant	786-385-9617		bguertin@touchrestaurant.com	910 Lincoln Road	Miami Beach	FL	33139	merchant
Giselle Nasser	Gelateria Parmalat	305-803-2215		gisellenasser@hotmail.com	670 Lincoln Road	Miami Beach	FL	33139	merchant
Graziano Sbroggio	Tiramesu, Spris, Segafredo & Le Bon	305-532-1233		graziano@tiramesu.com	721 Lincoln Road	Miami Beach	FL	33139	merchant
Laura Kaplan	Lincoln Road Magazine	305-282-2099	786-621-6290	laura@lincolnroadmagazine.com	420 Lincoln Road #221	Miami Beach	FL	33139	merchant
Mitchell Wentworth	Fritz's Skate, Bike & Surf	305-992-0959		footnbare@aol.com	730 Lincoln Road	Miami Beach	FL	33139	merchant
Peter Wallace	Wachovia Securities	305-535-3900		pwallace@wachovia.com	690 Lincoln Road #202	Miami Beach	FL	33139	merchant
Jeremy Chestler	Arts Center South Florida	305-674-7882	305-674-7882	jchestler@artcenterfla.org	924 Lincoln Road #205	Miami Beach	FL	33139	non-profit
Jennifer Pon	New World Symphony			jennifer.pons@nws.org	541 Lincoln Road	Miami Beach	FL	33139	non-profit
Jan Idelman	Ghirardelli Soda Fountain & Chocolate Shop	954-294-3777		jidelman@bellsouth.net	801 Lincoln Road	Miami Beach	FL	33139	National chain
Erwin Stern	Collectors Art Gallery	305-531-4900		sendfax.com	718 Lincoln Road	Miami Beach	FL	33139	property owner
Michael Comras	Comras Company	305-532-0433		comrasco@aol.com	407 Lincoln Road #9F	Miami Beach	FL	33139	property owner
Robert Quitner	Cadillac-Cafeteria Building	305-531-3535		robert@quittner.com	560 Lincoln Road	Miami Beach	FL	33139	property owner
Sherna Brody	1000 Building	305-531-1859	305-532-6086	circlear1014@aol.com	1020 Lincoln Road	Miami Beach	FL	33139	property owner
Mera Rubell	Rubell Hotels	305-913-1040		merarubell@rubellhotels.com	311 Lincoln Road #200	Miami Beach	FL	33139	property owner
Sandra Rodriguez	420 Building	305-531-5220		sandra@plcinv.com	420 Lincoln Road	Miami Beach	FL	33139	property owner
Katya Bravo	Lincoln Road Marketing Inc - Coordinator	786-348-4900		lrminc@bellsouth.net	690 Lincoln Road #202	Miami Beach	FL	33139	marketing coordinator
David Wrubel, CPA		305-672-4272		david@cpa-fl.com	560 Lincoln Road #304	Miami Beach	FL	33139	accountant
Kevin Crowder	City of Miami Beach - Economic Development	305-673-7193		kevincrowder@miamibeachfl.gov	1700 Convention Center Drive	Miami Beach	FL	33139	
Jeff Bechdel	Lincoln Road Marketing Inc - Election Coordinator	305-776-3020		jeffmbtma@earthlink.net					

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A resolution authorizing the Mayor and City Clerk to reject all proposals received pursuant to RFQ 26-03/04 for inspection and assessment of buildings and facilities.

Issue:

Shall the Mayor and City Commission reject all proposals received pursuant to RFQ 26-03/04 for inspection and assessment of buildings and facilities?

Item Summary/Recommendation:

In September 2004, the City Commission authorized negotiations with PBS&J, who was recommended by the Evaluation Committee and the City Manager, as the most qualified firm in response to the RFQ to provide for building inspection and assessment services. PBS&J provided an initial price proposal of \$52,089 to perform building inspection/assessment services for City Hall and Historic City Hall buildings, just two of the primary Administrative buildings in the City. Price negotiations continued until PBS&J submitted their best and final offer in the amount of \$31,565.52 for the two facilities.

Because the quotes received were believed to be excessive in cost, the Property Management Director, did extensive research into other Municipal and Federal government agencies means and methods in gathering the required information that is necessary to develop a long range capital planning and management solution plan. The results of the research found that other means and methods are available and can be utilized to provide the same information requirements at a major reduction in cost to the City.

Since the best and final offer from PBS&J was found to be excessive, the Administration recommends that the Mayor and City Commission reject all proposals received pursuant to RFQ 26-03/04 for inspections and assessments of buildings and facilities.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:	Amount	Account	Approved
Finance Dept.			

City Clerk's Office Legislative Tracking:

Bob Halfhill ext. 6833

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FHB	RCM	JMG

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AGENDA ITEM C7D
DATE 2-2-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 2, 2005

From: Jorge M. Gonzalez
City Manager

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO REJECT ALL PROPOSALS RECEIVED PURSUANT TO THE REQUEST FOR QUALIFICATIONS (RFQ) NO. 26-03/04 FOR INSPECTION AND ASSESSMENT SERVICES OF CITY BUILDINGS AND FACILITIES.

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The Administration is recommending that all proposals relative to building inspection and assessment services received in response to RFQ 26-03/04 be rejected due to excessive cost.

Following the City Commission and City Administration's decision to have building inspections performed, RFQ 26-03/04 was issued to find qualified firms to perform building inspections and assessment services of City facilities. The inspections and assessments of City facilities are required to determine immediate and annual capital replacement and maintenance requirements of each operational and fixed components of a building over the lifecycle of each asset. These inspections and assessments would be developed into a capital planning and management solution tool that will provide a repair, replacement, and a maintenance plan for each facility based on current conditions. The report would also provide estimated costs for immediate repair needs and deferred needs including any escalation of estimated costs over the lifecycle of the operational components of each facility. The report would also be used to develop estimated routine and preventative maintenance schedules for each facility inspected, that would include estimated manpower requirements per individual trade discipline to maintain building systems in good operation order.

In September 2004, the City Commission authorized price negotiations with Post Buckley Schuh & Jerningan, Inc (PBS&J), who was the sole entity recommended by the Evaluation Committee and the City Manager, as the most qualified firm that responded to the RFQ to provide building inspection services. Because of the variety of sizes and types of City facilities, it was determined that the negotiations would be based on the estimated costs for

providing the inspection services on two of the primary Administrative City facilities. The facilities selected were the City Hall Building and the Historic City Hall Building. These two buildings represented over 130,000 square feet of space and offered a very good representation of the many different types of operation systems used and found in most City facilities. PBS&J provided an original price proposal of \$52,089. Price negotiations continued until PBS&J submitted their best and final offer in the amount of \$31,565.52 for the inspection and assessment report of the two facilities.

The Property Management Director has done extensive research into methods used by other Municipal and Federal government agencies in obtaining the required building inspection and assessment information necessary to develop a capital planning and management solution plan. Based on the research and findings, the Property Management Director has determined that other means and methods are available and can be utilized to obtain the same required information that would also include the input of the information into a Capital Planning and Management Solution (CPMS) software program at a major reduction in cost to the City.

The Administration intends to pursue other viable options available in reaching these goals including the purchase of the Capital Planning and Management Solution (CPMS) software from Vanderwell Facility Advisors (VFA). VFA is a national company that provides CPMS services to the US General Services Administration as well as many other large Municipal government agencies. These services include long range capital planning forecasts over the lifecycle of each asset or property, inspection services, assessment services, and data entry services to expedite the program results. The services provided by VFA are available to the City through existing Federal GSA contracts.

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REJECTING ALL PROPOSALS RECEIVED PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 26-03/04 FOR ASSESSMENT OF BUILDINGS AND FACILITIES.

WHEREAS, Request for Qualifications (RFQ) No. 26-03/04 was issued on April 21, 2004 for inspection and assessment of City owned buildings and facilities; and

WHEREAS, on September 2004, the Mayor and City Commission selected the firm of Post Buckley Schuh & Jerningan (PBS&J) as the top-ranked proposer to the RFQ and authorized the Administration to commence negotiations with the firm; and

WHEREAS, the best and final offer by PBS&J, in the amount of \$31,565.52, for inspection services for City Hall and Historic City Hall, is considered by industry standards to be excessive; and

WHEREAS, accordingly, as the Administration has not been able to successfully negotiate an agreement with PBS&J, it would recommend terminating any further negotiations, and further recommend that the Mayor and City Commission reject all proposals in response to the RFQ.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, the Mayor and City Commission hereby reject all proposals received pursuant to Request for Qualifications No. 26-03/04 for Assessment of Buildings and Facilities.

PASSED AND ADOPTED this the _____ day of _____, 2005.

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

 1/10/05

City Attorney Date

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution Authorizing The City Manager To Apply For And Accept/Support The Following Four (4) Grant Applications.


Issue:

Shall the City Apply And Accept/Support The Following Grants?

Item Summary/Recommendation:

The Administration Requests Approval To Authorize The City Manager Or His Designee To Submit Grant Applications For The Following Funds: 1) Miami Beach Visitor And Convention Authority (VCA), FY 2004-5 Tourism Advancement Program, 4th Quarter Program For Funding In An Amount Not To Exceed \$20,000 For The City's 4TH Of July 2005 Event; 2) The National Park Service's Save America's Treasures Program For Funding In An Amount Not To Exceed \$500,000 For FY 2005 Historic Preservation Funds For The Restoration Of Historic City Hall; 3) State Of Florida, Office Of The Attorney General, Victims Of Crime Act (VOCA) Funding In An Amount Not To Exceed \$80,000 For Funds For The City's Domestic Violence Unit; And, 4) State Of Florida, Department Of Community Affairs, Division Of Emergency Management For Funding For The City's Community Emergency Response Team (CERT) Training In An Amount Not To Exceed \$25,000; While Leveraging Previously Appropriated City Funds As Needed; Further Appropriating The Grants If Approved And Accepted By The City And Authorizing The Execution Of All Necessary Documents Related To These Applications.

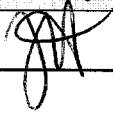

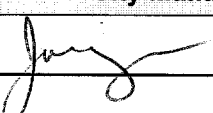
Financial Information:

Source of Matching Funds:	Grant Name/Project	Grant Amount	Match Amount/Source
	1-VCA/July 4, 2004 Event	\$20,000	No Match Required
	2-Save America's Treasures/Old City Hall	\$500,000	Matching Funds From The Miami-Dade County 2004 General Obligation Bonds Approved By The Voters On November 2, 2004.
	3-State of Florida/VOCA	\$80,000	20% Match Required. Matching Funds From Existing Police Dept Operating Funds Allocated To The Domestic Violence Unit.
Finance Dept.	4-CERT FY 05/06	\$25,000	No Match Required.

City Clerk's Office Legislative Tracking:

Judy Hoanshelt, Grants Manager, Office of Budget and Performance Improvement

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

AGENDA ITEM C7E
DATE 2-2-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 2, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT APPLICATIONS FOR GRANT FUNDS TO THE FOLLOWING AGENCIES: 1) MIAMI BEACH VISITOR AND CONVENTION AUTHORITY (VCA), FY 2004-5 TOURISM ADVANCEMENT PROGRAM, 4th QUARTER PROGRAM FOR FUNDING IN AN AMOUNT NOT TO EXCEED \$20,000 FOR THE CITY'S 4TH OF JULY 2005 EVENT; 2) THE NATIONAL PARK SERVICE'S SAVE AMERICA'S TREASURES PROGRAM FOR FUNDING IN AN AMOUNT NOT TO EXCEED \$500,000 FOR FY 2005 HISTORIC PRESERVATION FUND GRANTS FOR THE RESTORATION OF HISTORIC CITY HALL; 3) STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL, VICTIMS OF CRIME ACT (VOCA) FUNDING IN AN AMOUNT NOT TO EXCEED \$80,000 FOR FUNDS FOR THE CITY'S DOMESTIC VIOLENCE UNIT; AND, 4) STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT FOR FUNDING FOR THE CITY'S COMMUNITY EMERGENCY RESPONSE TEAM (CERT) TRAINING IN AN AMOUNT NOT TO EXCEED \$25,000; FURTHER APPROPRIATING THE GRANTS IF APPROVED AND ACCEPTED BY THE CITY; AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS RELATED TO THIS APPLICATION.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

1. Approval to submit a grant application to Miami Beach Visitor and Convention Authority (VCA), FY 2004-5 Tourism Advancement Program, in an amount not to exceed \$20,000 for funding of the City's July 4, 2005 event.

The Miami Beach Visitor and Convention Authority (VCA), through its Tourism Advancement Program provides funding for activities and events with year-long tourism promotion and programming that support and advance tourism.

In 1991 the City of Miami Beach launched the first "An American Celebration" as a means to attract visitors to Miami Beach on the 4th of July. On July 4, 2005 "An American Celebration 2005" will mark the fifteenth anniversary of the event's success. In celebration, the Miami Beach Community and the City will host this year's event in North Beach. The event will showcase the community and the amenities that are available in the surrounding areas. This year, the City of Miami Beach will be partnering with Ocean Drive Magazine to bring this event to Miami Beach.

The opening program for the event will be a swearing-in ceremony for children from all parts of the world who have become newly naturalized American citizens. Culminating the event will be a first class fireworks display launched from a barge in the ocean. A group called Speaking Hands, comprised of hearing impaired youths between the ages of 6-18 years old will sign the "Star-Spangled Banner". The event will also feature the Miami Symphony Orchestra, and community orientated events for all participants.

This event will serve as a much needed economic stimulus to the tourism industry. The City has requested funds in the amount of \$20,000. No match is necessary.

- 2) Approval to submit a grant application to the U.S. Department of Interior, Save America's Treasures Program for funds in an amount not to exceed \$500,000 for renovations to Old City Hall

The City is seeking matching grant funding to undertake a major restoration project for Old City Hall. The building is a "contributing" resource in the Miami Beach National Register Architectural District ("Art Deco" Historic District). This district is listed in the National Register of Historic Places for its national significance as the largest concentration of 1920s and 1930s era resort architecture in the United States. Old City Hall was the first locally historically designated site. Old City Hall is also a "contributing" property within the locally designated Flamingo Park Historic District.

Constructed in 1927 and designed by Martin Luther Hampton, Old City Hall is an excellent example of the Mediterranean Revival style of architecture. Mediterranean Revival architecture was the "style of choice" in Miami Beach from the mid 1910s to early 1930s. It served as an elegant reminder of the unwavering determination to become America's premier seaside resort community. The building, which is the historic centerpiece of the National Register Architectural District, served as the government seat for Miami Beach from 1927 until the completion of a New City Hall in 1977.

In 2002, the City contracted to have a complete structural assessment report for Old City Hall. The report revealed that the 76 year old building is in need of significant structural restoration to preserve its structural integrity and architectural features. As a consequence of this structural deterioration, several large sections of the concrete cornice at the top of the tower have fallen nearly 140 feet to the sidewalk below. Emergency safety nets have been installed as an interim measure to address the dangerous condition on the property.

The City proposes applying to the Department of Interior, Save America's Treasures Program for funding to perform necessary renovations to Old City Hall. The grant requires matching funds. The City will utilize matching funds from the Miami-Dade County 2004 General Obligation Bonds approved by the voters on November 2, 2004.

3) State Of Florida, Office Of The Attorney General, Victims Of Crime Act (VOCA) Funding In An Amount Not To Exceed \$80,000 For Funds For The City's Domestic Violence Unit;

The Victims of Crime Act (VOCA) was enacted in 1984 to provide federal funding to assist state, local and private agencies to provide direct services to crime victims. The United States Department of Justice (USDOJ), Office of Justice Programs (OJP), Office for Victims of Crime (OVC), provides funds to support the provision of service to victims of crime. The City has applied for funds for the Police Department's Domestic Violence Unit. The City will use existing Police Department operating funds allocated to the Domestic Violence Unit as a match to this grant.

4) Approval to apply to the Florida Department of Community Affairs, Division of Emergency Management for grant funds in an amount not to exceed \$25,000 made available through the 2005-2006 Community Emergency Response Team Program

The Community Emergency Response Team (CERT) program provides a structured opportunity for citizens to augment local emergency response activities. Program funds will be used to train people to be prepared for emergency situations that may arise in their communities. CERT members give critical support to first responders in emergency situations. The funds would be used to off-set City costs associated with providing CERT training that is currently coordinated by the Fire Department. No match is required.

CONCLUSION

In conclusion, the Administration recommends approval of this Resolution authorizing the City Manager or his designee to submit four (4) applications for grant funds.

JMG/KB/JH

RESOLUTION TO BE SUBMITTED

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution rejecting RFP #66-02/03 regarding a Corporate Sponsorship Program and a Resolution authorizing an RFP for vending machine services at City Facilities.

Issue:

Shall the Commission approve the Corporate Sponsorship RFP rejection and authorize issuance of an RFP for vending machine services at City facilities?

Item Summary/Recommendation:

In April 2004, the City received proposals from a variety of consultants proposing to assist the City of Miami Beach with development and implementation of a Corporate Sponsorship Program in RFP #66-02/03. One of the contract assets that were intended to be included in the Corporate Sponsorship RFP Program was an existing contract for soda and snack vending at different City owned facilities.

In light of the passage of time and need to reassess the City's service needs, the Administration is recommending to the Mayor and City Commission that those proposals be rejected.

As there is not going to be a replacement contract for the current month to month vending and snack machine contract in the immediate future by virtue of a new comprehensive Corporate Sponsorship Agreement, it is recommended that the City Commission authorize a new RFP for the vending contract so that it can be brought up to date while the City determines how to address a broader Corporate Sponsorship Program.

The proposed RFP Scope of Services and Evaluation Criteria are attached. These items were discussed at the January 27, 2005 Finance and Citywide Projects Committee meeting. The Committee voted to recommend to the full Commission that RFP #66-02/03 regarding a Corporate Sponsorship Program be rejected and to authorize the issuance of an RFP for a vending machine contract for City facilities.

Advisory Board Recommendation:

Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 80px; display: flex; align-items: center; justify-content: center;">Finance Dept.</div>	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Robert C. Middaugh

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM

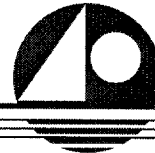
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DATE

2-2-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: February 2, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **REJECTION OF CORPORATE SPONSORSHIP RFP'S RECEIVED APRIL 2004 AND AUTHORIZATION TO ISSUE VENDING MACHINE RFP.**

1) A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REJECTING RFP #66-02/03 REGARDING A CORPORATE SPONSORSHIP PROGRAM.

2) A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING AN RFP FOR VENDING MACHINE SERVICES AT CITY FACILITIES.

ADMINISTRATION RECOMMENDATION

Approve the Resolutions.

ANALYSIS

In April 2004, the City received proposals from a variety of consultants proposing to assist the City of Miami Beach with development and implementation of a Corporate Sponsorship Program in RFP #66-02/03. The Corporate Sponsorship Program was intended to broadly market the City of Miami Beach and to attract revenues to the City of Miami Beach by allowing corporate sponsoring entities to identify with the City. The intention of the RFP process was that rather than to approach sponsor agreements on a piece meal basis, the City would develop a comprehensive program that embraced all of the assets which the City had available to market or offer to potential sponsors. One of the contract assets that were intended to be included in the Corporate Sponsorship RFP Program was an existing contract for soda and snack vending at different City owned facilities.

As the City did the preparatory work for the Corporate Sponsorship RFP, a decision was made to place the existing and expiring vending and snack machine contract on a month to month basis with the expectation that it would be replaced by a broader Corporate Sponsorship Program. This action of the City occurred in late 2002 and the vending and snack machine contract has operated on a month to month basis since that point in time.

As the City has held the original Corporate Sponsorship RFP's for nearly a one year period of time, the proposals are out of date. With the final resolution of a bid protest filed in the

RFP process, there is also a need for the City to reassess how to approach and structure this potential service contract. In light of the passage of time and need to reassess the City's service needs, the Administration is recommending to the Mayor and City Commission that those proposals be rejected. The Administration will be further recommending that given the knowledge gained as part of the Corporate Sponsorship RFP process, the City Commission undertake a policy discussion on if and how the City should proceed with this particular activity. This discussion can be organized at some future point at the Commission's convenience.

As there is not going to be a replacement contract for the current month to month vending and snack machine contract in the immediate future by virtue of a new comprehensive Corporate Sponsorship Agreement, it is recommended that the City Commission authorize a new RFP for the vending contract so that it can be brought up to date while the City determines how to address a broader Corporate Sponsorship Program. The proposed RFP Scope of Services and Evaluation Criteria are attached.

The vending machine RFP is very similar to the last RFP used by the City when this program was last bid and reflects a current list of City facilities in which machines are located. This particular agreement provides for two streams of revenues to the City from a successful vendor. There is a contract minimum guarantee which at the present time is \$1,917.00 per month that is applied against the commission paid to the City for all sales. The commission per vended item varies. The revenue in the last fiscal year to the City of Miami Beach through this contract was \$21,566.00.

These items were discussed at the January 27, 2005 Finance and Citywide Projects Committee meeting. The Committee expressed an interest in continuing to discuss how the City might approach a Corporate Sponsorship Program at a future time and agreed that a new RFP for vending machines be issued. The Committee asked that a specific clause on termination for convenience be added to the vending machine RFP in light of a possible Corporate Sponsorship Program in the future. The clause has been added to the RFP terms. The Committee voted to recommend to the full Commission that RFP #66-02/03 regarding a Corporate Sponsorship Program be rejected and to authorize the issuance of an RFP for a vending machine contract for City facilities.

The two actions which will be requested of the City Commission are:

1. Rejection of previously received Corporate Sponsorship RFP's and referral of a future discussion on a Sponsorship Program to the Finance & Citywide Projects Committee.
2. Authorization to issue an RFP for a vending and snack machine agreement.

JMG\RCM\sam

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Attachments

SECTION II - SCOPE OF SERVICES

The intent of this Request for Proposals is to award an exclusive vending machine concession agreement for the location of vending equipment on City property in the City of Miami Beach. Said concession agreement shall provide for the installation and maintenance of vending machine equipment at the sole cost of the Concessionaire.

VENDING EQUIPMENT:

All equipment installed under this concession agreement shall be new or remanufactured in excellent condition prior to installation. All vending machines must be equipped with coin mechanisms accepting any combination of nickels, dimes and quarters. The Concessionaire must supply a dollar changer at each interior location where two or more vending machines are situated.

Each machine must be equipped with a transaction counter or other control acceptable to the City, and must be licensed as provided in the "Permits" section below.

An initial list of locations at which vending machines shall be located is provided in Section VII, Attachments.

Written approval shall be obtained from the City Manager or the City Manager's designee prior to the installation, transfer or removal of any items of equipment.

UTILITIES:

Electrical service, including outlets, shall be furnished by the City at the vending locations at no cost to the Concessionaire. No water service will be provided in connection with the operation of vending machines under this concession agreement.

MAINTENANCE:

The Concessionaire shall be responsible for all maintenance and repair of equipment as follows:

Cleaning and polishing of equipment and removal of litter within vending area created by filling of machines. The Concessionaire shall provide route drivers time to thoroughly clean each machine as it is filled. This includes cleaning with a sanitizing solution the interior and exterior of each machine.

Routine - all equipment shall be checked weekly and a record of service calls maintained and made available to the City.

Each machine must have posted the name and telephone number of the service, repair and refund facility.

The Concessionaire shall maintain all equipment in good working order and shall replace any

RFP NO.: 05-XXXX
DATE:

CITY OF MIAMI BEACH
8

equipment not repairable within two business days.

REFUNDS:

The proposer must include in his proposal a statement describing the procedure whereby refunds will be provided to the public. Additionally, the Concessionaire shall provide a cash "bank" of \$100 in cash which shall be provided to the City of Miami Beach City Hall cashier who will distribute refunds due to mechanical malfunctions of the vending machines. An itemized refund list, including the names of the persons the funds were refunded to, will be maintained by the City Hall cashier and submitted to the Concessionaire upon requested replenishment of the funds.

PRICING AND AVAILABILITY OF SERVICES:

The services as outlined herein shall be offered to the public on a daily basis at all times that a reasonable commercial demand for such services exist, as determined by the Concessionaire.

All initial prices for products must be included in the proposal. Any subsequent changes must be submitted in writing to the City's Asset Manager, and approval must be secured before implementing changes.

The City Manager or his designee may request services at additional locations or request additional products from vending equipment on City property. The Concessionaire is expected to test market these additional services for a sixty day period. If the Concessionaire demonstrates that the commercial demand does not exist for the additional services, the Concessionaire will not be obligated to continue the additional services.

STANDARDS FOR REPORTS

The Concessionaire will prepare true and complete records and accounts of all gross receipts for each contract year in accordance with generally accepted accounting principles consistently followed, and report formats shall be subject to the approval of the City's Internal Auditor. Written recommendations by the Internal Auditor for changes in accounting practices, reporting or controls will be complied with by the Concessionaire.

GROSS RECEIPTS

The term "gross receipts" as used herein, shall mean all monies paid to the Concessionaire for sales related to this concession.

SHORTAGES

All cash shortages, regardless of the reason, are to be absorbed by the Concessionaire and are not to be deducted from gross receipts.

RECORD RETENTION

The Concessionaire will maintain during the term of the agreement and for three years thereafter all books of accounts, reports, and records, including sales slips, bank deposit slips, bank statements, and such other sales records as an independent Certified Public Accountant would need to examine in order to certify the Concessionaire's Annual Statement of Gross Receipts pursuant to generally

RFP NO.: 05-XXXX
DATE:

CITY OF MIAMI BEACH
9

accepted accounting standards.

EXAMINATION OF BOOKS AND RECORDS

The Concessionaire will permit the auditors or the City to audit and examine the Concessionaire's books of account, reports, and records during the term of this agreement, during normal business hours and upon reasonable notice.

ANNUAL REPORT

The Concessionaire will submit an annual CPA Certified Statement of Gross Receipts to the City within sixty days after the end of each twelve-month fiscal year. Such Certified Statement will include an opinion by the CPA as to the accuracy of the Concessionaire's Gross Receipts as defined by the concession agreement.

LATE FEES

There will be a penalty of \$50.00 assessed for late or delinquent payments, along with simple interest accruing to the City at the rate of 12% per annum. Payments shall be considered late when paid five (5) days after the due date. Interest shall accrue beginning with the tenth (10th) day following due date.

FACILITIES/PREMISES

Exhibit "A", "Initially Authorized Locations", lists sites where vending machines may be placed under this agreement. The Concessionaire accepts the current locations of vending machines and space provided in their as-is condition and is responsible for any interior modifications and maintenance which may be necessary, including security doors, windows and screens.

The Concessionaire must first obtain the City's written approval of any alteration of the physical facilities and then must pay for such modifications, which become City assets upon expiration of the agreement.

ADVERTISING AND SIGNS

All advertising, signage, and postings shall be approved by the City Manager or his designee and must comply with the requirements of Planning and Zoning.

COMPLIANCE WITH LAWS, LICENSING AND PERMIT REQUIREMENTS

The Concessionaire shall comply with all rules, regulations, laws, and permitting requirements of the City of Miami Beach, Dade County, the State of Florida, and the U.S. Government now in force or hereafter to be adopted.

The Concessionaire shall abide by all ordinances and laws pertaining to its operations and shall secure, at its expense, all licenses and permits necessary for the operation of the concessions. In particular, the Concessionaire must obtain an annual Occupational License for a fee of \$220.00 per year. Occupational Licenses are issued for a one-year period expiring each September 30. Each vending machine must have a City of Miami Beach vending machine license. The current fee for the licenses is \$30.00 per machine per year.

RFP NO.: 05-XXXX
DATE:

CITY OF MIAMI BEACH
10

SECTION III - PROPOSAL FORMAT

Proposals must contain the below-enumerated documents, each fully completed and signed as required. Proposals which do not include all required documentation or are not submitted in the required format, or which do not have the appropriate signatures on each document, may be deemed to be non-responsive. Non-responsive proposals will receive no further consideration.

A. CONTENTS OF PROPOSAL

1. Table of Contents
Outline in sequential order the major areas of the proposal, including enclosures. All pages must be consecutively numbered and correspond to the table of contents.
2. Proposal Points to Address:
Proposer must respond to all minimum requirements listed below, and provide documentation which demonstrates ability to satisfy all of the minimum qualification requirements. Proposals which do not contain such documentation may be deemed non-responsive.
3. Fee Proposal
Proposer must include fee schedule to be paid to the City.
3. Acknowledgment of Addenda and Proposer Information forms (Section VIII)
4. Any other document required by this RFP, such as a Questionnaire or Proposal Guaranty.

B. MINIMUM REQUIREMENTS / QUALIFICATIONS:

DESIGN/OPERATIONAL PLANS

At a minimum, this plan should state the intended vending machine concessions which are contemplated. The frequency and scope of maintenance and service programs should be described in detail. Any equipment which the proposer intends to supply for the operation of this concession should be listed.

The proposer must include specific detailed written plans regarding each of the following matters in its proposal:

1. Listing of proposed products and pricing. (Provide pricing for name brand and generic products.)
2. Maintenance and service schedule.
3. Decor, signage, and graphic improvements to any premises assigned to the

RFP NO.: 05-XXXX
DATE:

CITY OF MIAMI BEACH
11

Concessionaire.

4. Conceptual plans for any substantial facility improvements must be submitted with the proposal, with design development drawings within thirty days and final construction drawings within sixty days following award of the concession agreement.

OTHER REQUIREMENTS

Provide a minimum of three references for whom similar services are provided. Include contact name, phone number, and estimated annual contract amount.

Attach a financial statement, balance sheet or assurance that indicates the financial capacity and viability of the proposer. This statement should be certified by an appropriate corporate official or by an independent Certified Public Accountant.

Include specifications or photographs of proposed equipment.

Provide a written statement of procedures whereby the public may receive refunds.

Supplemental statements should include preliminary drawings depicting any proposed improvements, as well as additional information regarding the projected market viability of the concession plan and any special qualifications and experience which the proposer possesses.

AMOUNTS PAYABLE TO THE CITY

The proposer shall propose an amount to be paid to the City as a concession fee, including both a percentage of gross receipts and a minimum monthly guarantee. Concessionaire will pay the greater of the two. Said concession fee shall be paid to the City by the 15th of each month for the preceding month, and said payment shall be accompanied by a statement of gross revenue for the preceding month. It is also understood that the applicable Florida State Sales and Use Tax on rental payments shall be added by the Concessionaire to the Concessionaire's payment.

RFP NO.: 05-XXXX
DATE:

CITY OF MIAMI BEACH
12

SECTION IV - EVALUATION/SELECTION PROCESS; CRITERIA FOR EVALUATION

The procedure for proposal evaluation and selection is as follows:

1. Request for Proposals issued.
2. Receipt of proposals.
3. Opening and listing of all proposals received.
4. An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each proposal in accordance with the requirements of this RFP. If further information is desired, proposers may be requested to make additional written submissions or oral presentations before the Evaluation Committee makes its recommendation.
5. The Evaluation Committee shall recommend to the City Manager the proposal or proposals acceptance of which the Evaluation Committee believes to be in the best interest of the City.
The Evaluation Committee shall base its recommendations on the following factors:

Proposer's Experience, Financial Qualifications and Professional Reputation

Proposed Operational Concept for the Concession(s)

Proposed Commitment of Equipment and/or Capital Expenditures

Quality and Variety of Proposed Products

Pricing to the Public

Fees to Be Paid to the City

6. After considering the recommendation(s) of the Evaluation Committee, the City Manager shall recommend to the City Commission the proposal or proposals acceptance of which the City Manager deems to be in the best interest of the City.
7. The City Commission shall consider the City Manager's recommendation(s) in light of the recommendation(s) and evaluation of the Evaluation Committee and, if appropriate, approve the City Manager's recommendation(s). The City Commission may reject City Manager's recommendation(s) and select another proposal or proposals. In any case, City Commission shall select the proposal or proposals acceptance of which the City Commission deems to be in the best interest of the City. The City Commission may also reject all proposals.
8. Negotiations between the selected proposer and the City Manager take place to arrive at a contract. If the City Commission has so directed, the City Manager may proceed to negotiate

RFP NO.: 05-XXXX
DATE:

CITY OF MIAMI BEACH
13

a contract with a proposer other than the top-ranked proposer if the negotiations with the top-ranked proposer fail to produce a mutually acceptable contract within a reasonable period of time.

9. A proposed contract or contracts are presented to the City Commission for approval, modification and approval, or rejection.
10. If and when a contract or contracts acceptable to the respective parties is approved by the City Commission, the Mayor and City Clerk sign the contract(s) after the selected proposer(s) has or have done so.

Important Note:

By submitting a proposal, all proposers shall be deemed to understand and agree that no property interest or legal right of any kind shall be created at any point during the aforesaid evaluation/selection process until and unless a contract has been agreed to and signed by both parties.

RFP NO.: 05-XXXX
DATE:

CITY OF MIAMI BEACH
14

D. TERMINATION FOR CONVENIENCE OF CITY

The City may, for its convenience, terminate the services then remaining to be performed at any time without cause by giving written notice to successful proposer of such termination, which shall become effective thirty (30) days following receipt by proposer of the written termination notice.

RFP NO.: 05-XXXX
DATE:

CITY OF MIAMI BEACH
16

EXHIBIT A
INITIALLY AUTHORIZED LOCATIONS

City Hall
Convention Center
Fire Station #1
Fire Station #2
Fire Station #3
Fire Station #4 (under construction)
Flamingo Park Tennis Courts
Fleet Management/Sanitation/Warehouse
Jackie Gleason Theater of the Performing Arts
Log Cabin
Marine Patrol
Historic City Hall/Municipal Court
Parking Department
Police Station
Property Management Yard
Parks Maintenance Yard
South Pointe Park
7TH ST. Parking Garage
13th ST. Parking Garage
17TH ST. Parking Garage
42ND ST. Parking Garage
Scott Rakow Youth Center
North Beach Police Station

Additional facilities as deemed desirable by the City of Miami Beach.

RFP NO.: 05-XXXX
DATE:

CITY OF MIAMI BEACH
26

RESOLUTION TO BE SUBMITTED